

**Iowa
Commission
on the
Status of Women**

State of Iowa
Department of Human Rights



34th Annual Report

February 1, 2006

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IOWA
COMMISSION
ON THE
STATUS
OF WOMEN

February 1, 2006

The Honorable Thomas J. Vilsack
The Honorable Sally J. Pederson
Members of the 81st General Assembly
State Capitol Building
Des Moines, IA 50319

Dear Governor Vilsack, Lieutenant Governor Pederson, and Members of the 81st General Assembly:

At the end of every year, the Iowa Commission on the Status of Women (ICSW) reviews its accomplishments.

The ICSW is proud of the past year's achievements, and pleased to present to you our 34th Annual Report. The following pages detail the activities and programs that were carried out in 2005.

The ICSW celebrates the progress in women's rights that has been made in Iowa, and continues to address inequities, advocating for full participation by women in the economic, social, and political life of the state. In this advocacy role, as mandated by the Code of Iowa, we educate, inform, and develop new ideas to bring a fresh viewpoint to bear on the issues facing Iowa women and their families.

If you are interested in any of our concerns and issues, please call or write the ICSW at 515/281-4461 or dhr.icsw@iowa.gov, go to our website at www.state.ia.us/dhr/sw, or stop by the Commission office in the Lucas Building, and we will be happy to discuss them with you.

On behalf of our Commissioners and the staff, I thank Governor Vilsack, Lt. Governor Pederson, and Members of the General Assembly for the commitment you have shown to improving the status of women by funding our Commission and passing legislation that helps Iowa women.

We look forward to working with you in 2006.

Sincerely,

Kimberly A. Painter
Chairperson

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Vision Statement

The Iowa Commission on the Status of women (ICSW) envisions full participation by women in the economic, political and social life of the state.

Mission Statement

The ICSW promotes equality for Iowa women through study and recommendations for legislative and administrative action, public information and education, and development of programs and services.

Core Function

Advocacy

SECTION 1: Commission

The Iowa Commission on the Status of Women (ICSW) is a state agency that seeks to assure equality for Iowa women. The ICSW advocates for Iowa women, working to equalize their opportunities and to promote full participation by women in the economic, political, and social life of the state. Established in 1972 by the Iowa Legislature, the ICSW is composed of nine citizens appointed by the Governor and confirmed by the Senate. Two members of the Senate, two members of the Iowa House of Representatives, and the Director of the Department of Human Rights serve ex-officio.

2005 COMMISSION

Commission terms for citizen members and legislators are four years.

Citizen Commissioners

Vicki Brown, Treasurer, Oskaloosa
term expires April 30, 2006

Angelica Cardenas-Chaisson, Des Moines
resigned August 2005

Carla R. Espinoza, Ames
term expires April 30, 2006

Francis Giunta, Dubuque
term expires April 30, 2008

Holly Sagar, Des Moines
term expires April 30, 2008

Sue B. Mullins, Corwith
term expires April 30, 2006

Kimberly Painter, Chair, Iowa City
term expires April 30, 2008

Michael Whitlatch, Storm Lake
term expires April 30, 2008

Matthew Wissing, Vice-Chair, Davenport
term expires April 30, 2006

Walter Reed, Jr., ex officio,
Department of Human Rights Director

For the whole of 2005, there has been a vacancy for a male non-Democrat commissioner.

Legislative Commissioners, *ex officio*

Representative O. Gene Maddox, Clive
term expires June 30, 2006

Representative Cindy Winckler, Davenport
term expired June 30, 2009

Senator Matt McCoy, Des Moines
term expires January 31, 2007

Senator Maggie Tinsman, Davenport
term expires January 31, 2009

Commission Meetings

The ICSW meets at least six times a year. All meetings are accessible and open to the public. 2005 meetings were:

February 8

Lucas State Office Building, Des Moines

April 12

Lucas State Office Building, Des Moines

June 14

State Capitol, Des Moines

August 27

Embassy Suites, Des Moines

October 26

Urbandale Public Library, Urbandale

November 29

Urbandale Public Library, Urbandale

Section 1

2005 Committees

Executive Committee

Kimberly Painter, Chair
Matt Wissing, Vice Chair
Vicki Brown, Treasurer

Finance

Vicki Brown, Chair
Sue Mullins
Mike Whitlatch

Friends of the Iowa Commission on the Status of Women Board of Directors

Kimberly Painter
Matt Wissing
Vicki Brown
Angelica Cardenas-Chaisson
(served until August)
Carla R. Espinoza
(served from October)
Holly Sagar
Janis Anderson, President
Michelle Durand-Adams, Treasurer
Camile Curley
Claudia Schabel

Iowa Women's Hall of Fame

Holly Sagar, Chair
Kimberly Painter, *ex officio*
Angelica Cardenas-Chaisson
Vicki Brown
Camile Curley
David Meeks

Iowans in Transition Grant Reviews and Selection

Vicki Brown, Chair
Kate Albrecht
Tim Fitzpatrick
Lora Kelly-Benck
Kile Beisner

Nominating Committee

Holly Sagar, Chair
Angelica Cardenas-Chaisson
(served until August)
Mike Whitlatch

Legislative

Matt Wissing, Chair
Vicki Brown
Francis Giunta
Sue Mullins
Senator Matt McCoy
Senator Maggie Tinsman
Representative Gene Maddox
Representative Cindy Winckler

Program and Planning

Sue Mullins, Chair
Angelica Cardenas-Chaisson
(served until August)
Matt Wissing

Public Information

Francis Giunta, Chair
Mike Whitlatch
Matt Wissing

Staff Members

Executive Director: Charlotte Nelson has served as administrator of the Division on the Status of Women within the Department of Human Rights since her appointment by the Commission and Governor Branstad in February 1985. She was reappointed by the Governor Branstad in 1991 and 1995 and by Governor Vilsack in 1999 and 2003.

Administrative Assistant 2: Ellen Failor assumed this position in October 1990.

Program Planner 2: Lori M. SchraderBachar, coordinator of publications and special projects, has served since August 1999.

Challenge Grant Appointment: Kathy Nesteby assumed the position in November 2002.

Interns: Tiffany Bandow, University of Iowa School of Social Work Master's Program, researched the attitudes of college-aged women in Iowa during the winter and spring.

Kate Albrecht, Drake University, spent the summer working with the Iowa Gender Specific-Services Task Force updating *Promising Directions*.

Mollie Michelfelder, University of Iowa School of Social Work Master's Program, researched rural Iowa women in poverty during the fall and winter.

Section 1

Funding History

Funding for the Iowa Commission on the Status of Women is awarded annually by the General Assembly and Governor. A review of the state appropriation over several years, including pass-through grants, is as follows:

<u>Fiscal Year</u>	<u>Appropriation</u>	<u>Operating Budget</u>
FY 1998	\$328,900	\$161,125
FY 1999	\$335,804	\$168,029
FY 2000	\$419,505	\$187,531
FY 2001	\$426,464	\$185,964
FY 2002	\$400,996*	\$203,996
FY 2003	\$333,415*	\$191,392
FY 2004	\$337,918*	\$205,918
FY 2005	\$329,530	\$211,530
FY 2006	\$335,501	\$217,501

*Reductions resulted in an actual FY 2002 budget of \$398,426, FY 2003 budget of \$327,392 and FY 2004 budget of \$329,530.

Income Statement

<u>Revenue</u>	<u>FY 2005 Actual</u>	<u>FY 2006 Budget</u>
State Appropriation	\$329,530.00	\$335,501.00
Sales	2.00	100.00
U.S. Department of Labor, Women's Bureau	500.00	--
Equal Pay Day	405.00	--

<u>Expenses</u>	<u>FY 2005 Actual</u>	<u>FY 2006 Budget</u>
Personnel Services	\$193,918.70	\$197,936.00
In-State Travel	3,393.88	4,000.00
Out-of-State Travel	8.75	50.00
Office Supplies	4,482.87	4,000.00
Equipment Maintenance	--	250.00
Other Supply	213.81	315.00
Printing	3,178.32	4,000.00
Postage	1,552.32	2,000.00
Communication	2,041.55	2,500.00
Rentals	275.00	150.00
Outside Services	118,070.00	118,000.00
Reimburse IDOP	97.56	100.00
ITS Reimbursement	1,691.29	1,800.00
DP Non-Inventory	1,212.95	100.00
Advertising/Promotion	100.00	250.00
Professional Services	200.00	150.00
Reverted Money	--	--

Section 2: Programs and Projects

The Iowa Commission on the Status of Women (ICSW) works on numerous projects and programs in seeking to advance the status of women in the economic, political, and social life of the state. It collects employment related information and works toward pay equity; monitors legislation and strives to equalize women's participation in policy-making positions in the government and private sectors; and recognizes Iowa leaders through the Iowa Women's Hall of Fame, the Write Women Back Into History Essay Contest, and the Cristine Wilson Medal for Equality and Justice.

ECONOMIC LIFE

The ICSW strives to improve Iowa women's tenuous economic status by conducting various employment-related programs and studies to assist women statewide to work to achieve pay equity.

In 1999, Iowa women made just 73 cents for every \$1 men made. Sixty-four percent of women made \$25,000 or less, while 67 percent of men made \$25,000 or more. This wage disparity

reflects the occupational choices of males and females, the wage differences between male- and female-dominated jobs, and the gender pay gap that exists in many of the same occupations.

Both women's and men's wages would rise if wage discrimination were corrected. Workers, whether men or women, in female-dominated jobs – such as receptionists, secretaries, nurse aides, and child care providers – are paid less than workers in similar jobs not dominated by women.

CONCENTRATION OF WORKERS IN JOBS, IOWA, 2005*

<u>OCCUPATION</u>	<u>%MALE</u>	<u>AVERAGE HOURLY WAGE</u>	<u>OCCUPATION</u>	<u>%FEMALE</u>	<u>AVERAGE HOURLY WAGE</u>
1) Bus/Truck Mechanic	99.6%	\$15.82	1) Dental Hygienist	99.1%	\$26.96
2) Heavy Vehicle Mechanic	99.3%	\$15.06	2) Dental Assistant	99.0%	\$13.56
3) Mechanic/Repairer	99.2%	\$11.22	3) Pre-K/Kindergarten Teacher	98.7%	\$12.47
4) Cement Mason/Finisher	99.2%	\$14.78	4) Secretary	97.7%	\$13.60
5) Automobile Mechanic	98.8%	\$14.32	5) Child Care Worker	96.8%	\$ 7.86
6) Construction Supervisor	98.6%	\$23.07	6) Registered Nurse	95.7%	\$21.42
7) Plumber	98.5%	\$18.32	7) Licensed Practical Nurse	95.4%	\$15.22
8) Carpenter	98.4%	\$16.11	8) Paralegal/Legal Asst.	95.1%	\$18.82
9) Electrical Worker	98.3%	\$23.37	9) Hairdresser/Cosmetologist	95.1%	\$11.02
10) Brickmason	98.0%	\$17.77	10) Typist	94.9%	\$11.96

***Ten jobs held primarily by women pay a weighted average of \$14.43 an hour, compared to \$17.13 paid by ten jobs held primarily by men—a difference of \$2.70 per hour, or \$108 per week.**

SOURCE: Labor Market Information Bureau, Iowa Workforce Development

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Differences in pay scales among occupations that are dominated by one gender or the other contribute to pay inequities as seen in the graph on page 5.

Wage/Benefits Studies

Wage Survey: In 1993, the ICSW initiated a Department of Employment Services study on gender-wage disparity in Iowa. That report revealed, among other things, that Iowa women, on average, made 68 cents per dollar that Iowa men made. In 1999, the ICSW requested that Iowa Workforce Development conduct research to replicate the 1993 study. The results of the updated study, released in 2000, showed that women, on average, earned 73 cents per dollar that Iowa men made. The study also found that 64 percent of women earned annual wages of \$25,000 or less, while 67 percent of males earned \$25,000 or more. In late August 2004, the U.S. Census Bureau released statistics showing that between 2002 and 2003, the national median annual earnings for full-time year-round women workers dropped to 75.5 cents for every dollar that men earn.

Iowa Certified Nursing Assistant Wage and Benefits Survey: A statewide wage and benefits survey of Iowa Certified Nurse Assistants (CNAs) was released in June 2001, showing that Iowa CNAs are underpaid – 96 percent earned less than \$12 per hour, with the median wage being \$9.16. In 2004, as part of the Iowa Better Jobs Better Care Coalition, another statewide wage and benefit survey was conducted. In addition to Certified Nursing Assistants, Pool Workers and Home Care Workers were also surveyed. The 2004 survey showed that 96% of CNAs were women. The median wage increased to \$10.55. Eighty-two percent earned less than \$12. Twenty-five percent of respondents have no health insurance, compared to 14 percent of all Iowans.

Contingency Workers Study: The ICSW initiated a study of contingency workers' wages with Boddy Media Group in late 2000. The study, which was released in December 2001, reported the impact on women of contingency jobs, such as temporary, part-time, and contractual work, usually with few or no benefits and no job security. It found that two-thirds of Iowa's contingency workers were female. A typical contingency worker was most likely to be urban, single, parenting pre-school age children, have no more than a high-school education and work in sales/marketing. Forty-one percent earned \$10.99 per hour or less and 57 percent received no benefits.

Follow-up to Employees' Wages and Benefits: Domestic Violence and Sexual Assault Projects 1997 Report and Recommendations:

In 1997, the ICSW conducted a study of the wages and benefits of employees in domestic violence/sexual assault projects (dv/sa) across the state. The study revealed significantly low wages across the board, with many employees living at, below, or barely over the poverty line. Because of the increase over the past several years in federal and state monies available to dv/sa projects, the ICSW made, in its report on the study, wage recommendations for specific job descriptions, using comparable jobs in state government as a comparison. The response was overwhelming. In a 1998 ICSW follow-up to the study, the Commission's study was credited for approximately \$112,000 in pay increases in dv/sa jobs statewide. This study and follow-up survey continue to be distributed and influence wages and benefits for employees in dv/sa projects not only in Iowa but across the United States. In 2004, the ICSW updated the wage ranges.

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Pay Equity Initiatives

Equal Pay Day: The ICSW commemorated Equal Pay Day on Tuesday, April 19, 2005, which symbolized the day when women's wages catch up to men's wages from the previous week. Because women earn less, on average, they must work nearly seven days to earn what the average man would earn in five.

Show Me The Money: Paycheck Negotiation

Workshop: Paycheck Negotiation

Workshop: In order to help address wage disparity, a paycheck negotiation workshop was held on April 16, 2005 to give women the tools to negotiate for higher compensation when they are offered employment or at an annual/performance review. The workshop, Show Me The Money, consisted of a panel presentation, role playing, retirement planning and a question and answer session. In addition to the ICSW, the event was sponsored by American Association of University Women – Iowa; Business and Professional Women – Iowa; Iowa NOW; and League of Women Voters – Metro Des Moines.

Publications

How to Get Your Bearings - How to Get a Job: The guide, for Iowa women who are looking for a job or who are seeking a better job, includes information on how to write a resume, conduct an interview, obtain personal counseling if needed, fix a car, find housing, etc. Containing one-third more information than previous editions, the guide, revised by Dr. Judith Anne Conlin, is distributed primarily through the displaced homemaker programs and Family Development and Self-Sufficiency programs across the state. Funding for the guide was provided by Iowa Workforce Development and the Carl D. Perkins Applied Technology and Vocational Education Act.

Videos

Exploring Nontraditional Occupations for Women: Is This Job for You?: This informative 12-minute video (also available with closed captioning) illustrates Iowa women in nontraditional occupations with an emphasis on the skilled trades, apprenticeship and vocational-technical careers. The video is available for both loan and purchase.

Show Me The Money: Paycheck Negotiation

Workshop: Paycheck Negotiation Workshop:

Similar to the 2005 workshop, the November 2001 workshop consisted of a panel presentation, role playing, pension planning and a question and answer session. A video of the workshop was produced and is available to borrow free of charge.

POLITICAL LIFE

While the ICSW works hard at eliminating the “sticky floor”--women who are stuck in low-paying jobs with few benefits and opportunities for advancement--it also recognizes the need to break the “glass ceiling” in government and private sector policy-making positions. In addition, the ICSW annually researches, submits, and advocates for a program of Proposals to the Governor and General Assembly. It also follows legislation pertinent to women and, in particular, those bills that relate to its Proposals. The Executive Director of the ICSW is registered as a lobbyist to the Iowa Legislature and Executive Branch.

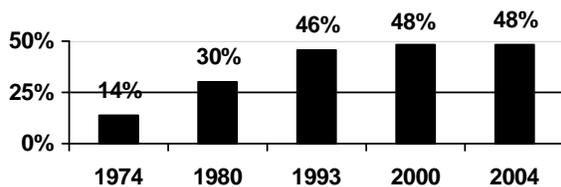
Roster of Qualified Women

In 1970, the Governor's Commission on the Status of Women assumed responsibility for developing a roster of Iowa women qualified for appointments to paid and volunteer positions on state boards and commissions. When the

Section 2

Commission was made statutory in 1972, it continued to develop the roster and to submit names for the Governor's consideration in making appointments. Appointment resume forms are provided upon request; they include biographical information, educational background, work experience, organizations, and information on areas of interest. Each year it advertises the availability of appointment resumes in the *IoWoman*, the Friends of ICSW newsletter that is sent to 8,400 organizations and individuals statewide. The Roster of Qualified Women has contributed significantly to the expanding role of women in government. Since the need was perceived and the Roster was developed, the number of appointments of women has increased dramatically. Since 1987, gender balance on boards and commissions has been mandated, a legislative change for which the Commission advocated.

PERCENTAGE OF FEMALES ON STATE BOARDS AND COMMISSIONS, IOWA, 1974-2004

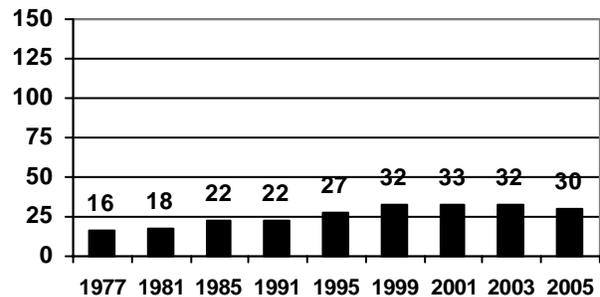


SOURCE: Office of the Governor

Women in Public Office

Since the first year in which a woman was elected to the Iowa General Assembly in 1929, the total percentage of women legislators has increased from .6 percent to 20 percent in 2005. Even with this increase, women, who total 50.9 percent of Iowa's population, represent one-fifth of the General Assembly. Five women served as Senators, while 25 served as Representatives in 2005. Only four women of color have served in the Iowa General Assembly. Furthermore, few Iowa women have served as elected state

FEMALES IN THE GENERAL ASSEMBLY, IOWA, 1977-2005



**Figure 6.5
FEMALE ELECTED OFFICIALS
IOWA, THROUGH DECEMBER 2005**

OFFICE	# OF MALES	# OF FEMALES
Governor	39	0
Lieutenant Governor	41	3
Secretary of State	25	3
Treasurer	25	0
Auditor	30	0
Secretary of Agriculture	13	1
Attorney General	31	1

SOURCE: Iowa Official Register

officials. Iowa is one of two states that have never elected a woman as governor or as a member of Congress.

Legislative Summary

Following is a summary of 2005 legislation tracked by the ICSW following the 2005 Proposals to the Governor and the General Assembly.

SCR6 & HCR9 designating March 2005 as Iowa Women's History Month

3/17/05 Adopted by Senate and House

ICSW SUPPORTED

HF810 authorized State Appropriations

3/23/05 Passed House 51/49

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5/4/05 Passed Senate 45/5 w/amendments
5/10/05 Passed House 97/2
6/14/05 Signed by Governor

Status of Women Division for salaries, support, maintenance, and miscellaneous purposes, including the Iowans in transition program, and the domestic violence and sexual assault-related grants, and for not more than three full-time equivalent positions: \$312,943, which is actually \$16,587 less than the FY05 appropriation
HF810 Amendment 1160 increases Status of Women division appropriation to \$329,530

For the Health Facilities Division \$80,000 and 1 FTE shall be used for the operation, expansion, and maintenance of the direct care worker registry.

HF825 authorized State Appropriations
5/20/05 Passed House 95/1
5/20/05 Passed Senate 42/6
6/14/05 Signed by Governor

For the Department of Public Health, not more than \$670,214 shall be used for the healthy opportunities to experience success (HOPES) - healthy families Iowa (HFI) program established pursuant to section 135.106. DPH shall transfer the funding allocated for the HOPES-HFI program to the Iowa empowerment board for distribution and shall assist the board in managing the contracting for the funding. The funding shall be distributed to renew the grants that were provided to the grantees that operated the program during the fiscal year ending 6/30/05.

For maintenance of the healthy and well kids in Iowa (hawk-i) program (Title XXI of the federal Social Security Act, which creates the state children's health insurance program):
\$16,618,275

Includes \$2,520,037 for pregnancy prevention grants (\$1.3 million) on the condition that family planning services are funded (\$1.2 million)

For the Family Development and Self-Sufficiency (FaDSS) grant program a total of \$5,133,042 (same as fiscal years 2005 and 2004)

HF811 authorized State Appropriations
5/20/05 Passed House 95/0
5/20/05 Passed Senate 48/0
6/14/05 Signed by Governor

For legal services grants \$900,000 as a separate line item in justice.

For the operation of the Mitchellville correctional facility, including salaries, support, maintenance, and miscellaneous purposes: \$13,867,603 (\$13,190,260 in fiscal year 2005 and \$12,260,590 in fiscal year 2004)

For inmate substance abuse and mental health treatment at all Iowa prisons \$125,000 (House Amendment 1138 inserting one-quarter of one percent of the gross lottery revenue for the year to the department of corrections to be used for inmate substance abuse and mental health treatment ruled not germane on 4/6/05)

For educational programs for inmates at all of the state penal institutions \$1,058,358 (\$1,008,358 in fiscal year 2005 and \$1,138,166 in fiscal year 2004)

For justice \$5,000 for domestic violence and sexual assault programs (House Amendment 1123 strikes the \$5,000 and inserts \$1,935,806 but on 4/6/05 H-1123 lost)

ICSW SUPPORTED

HF760 relates to dependent adults and protection services
3/21/05 Passed House 98/0

Section 2

4/14/05 Passed Senate 50/0
4/22/05 Signed by Governor

ICSW SUPPORTED

HF570 provides 10% of the civil penalties collected from health care facilities for violations of the health care facilities are appropriated to the Iowa department of public health to be used for efforts to recruit and retain direct care workers that provide services in both facility-based and community-based settings.

3/3/05 Human Resources.

ICSW SUPPORTED

HF781 (formerly HSB252) directs the Iowa department of public health to convene a direct care worker task force to review the education and training requirements and to make recommendations regarding direct care workers.

3/23/05 Passed House 99/0
4/14/05 Passed Senate 50/0
4/29/05 Signed by Governor

ICSW SUPPORTED

SF17 expands the healthy opportunities for parents to experience success (HOPES) -healthy families Iowa (HFI) program statewide

1/20/05 Human Resources.

SF18 expands the healthy opportunities for parents to experience success (HOPES) -healthy families Iowa (HFI) program statewide

1/20/05 Human Resources.

HF385 relates to improvement of the early care, child care services, education, health, and human services systems under the oversight of the department of education, the department of human services, the Iowa empowerment board, and the child development coordinating council; provides for the establishment of statewide voluntary standards and professional development to support universal access to high-quality preschool programs; creates a children's cabinet; and makes appropriations to the

department of education for the fiscal year 2005-2006.

2/24/05 Education.

ICSW PRIORITY

HF105 raises the state's hourly minimum wage to \$5.90 on 1/1/06 and to \$6.65 on 1/1/07

1/21/05 Commerce:

HF111 increases the state minimum wage to a wage level of no less than 150% of the federal poverty level

1/21/05 Commerce:

SF94 raises the state's hourly minimum wage each year of the next three years to: \$6.00 on 7/1/05, \$6.50 on 7/1/06, and \$7 on 7/1/07. The Code currently provides for a minimum wage rate of \$4.65, but because the federal minimum wage laws have primacy over state minimum wage laws unless the state sets a higher minimum wage, employers of the state must pay the federal hourly rate of \$5.15, which took effect September 1, 1997.

2/8/05 Business & Labor Relations.

SF120 states Iowa's hourly minimum wage rate will always be \$1 more than federal minimum wage rate

2/8/05 Business & Labor Relations.

ICSW SUPPORTED

SF69 makes it unlawful for an employer to pay wages that discriminate between employees based on sex, race, or national origin unless the differences are due to a valid factor unrelated to sex, race, or national origin. The bill also makes it unlawful for an employer to take action against a person exercising their rights pursuant to this new chapter. The bill requires employers, on an annual basis, to provide employees with information on how the employee's wage is calculated.

2/8/05 Business & Labor Relations.

SF88 provides that a person or employer shall not discriminate in providing compensation for work of comparable worth between jobs

Section 2

predominately held by women and men. The bill defines “comparable worth” as being the value of work as measured by the skill, responsibility, and working conditions involved in performing the work. A violation of this provision constitutes a simple misdemeanor.

2/805 Business & Labor Relations.

ICSW SUPPORTED

HF720 (formerly HF122) provides that the department of economic development shall establish and administer a program to provide financial and technical assistance to early-stage industry companies being established by young professionals and women entrepreneurs.

4/6/05 Passed House 99/1

4/7/05 Senate Economic Growth.

ICSW OPPOSED

HJR3 (formerly HSB19) proposes an amendment adding a new Article XIII to the Constitution of the State of Iowa, giving the people of Iowa the right to vote on certain adopted increases of taxes and fees, so that the increases will not take effect unless approved by majority vote at a state general election.

4/7/05 placed on calendar under unfinished business

SJR5 proposes an amendment to the Iowa Constitution requiring that certain tax increases be submitted to a vote of the people

3/2/05 State Government.

ICSW SUPPORTED

HF477 (formerly HSB105 & SSB1072) relates to child support provisions, nullifying admin rules.

3/1/05 introduced by Human Resources, placed on calendar

4/13/05 re-referred to Human Resources

HF86 directs the department of human services to adopt rules regarding the negotiating of payment of support obligations or accrued support debts by the child support recovery unit which require that both parents subject to a

support order agree in writing to the results of any negotiation prior to the unit securing a new court or administrative order for support.

1/19/05 Human Resources.

ICSW SUPPORTED

HF882 amendment expected to reduce interest maximum to 21 percent did not materialize.

SF409 (formerly SSB1312) provides that a lender shall not contract for or receive a finance charge exceeding twenty-one percent per year on the unpaid balance of the amount financed for a loan of money secured by a certificate of title to a motor vehicle used for personal, family, or household purpose

4/20/05 Passed Senate 50/0

4/21/05 House Ways & Means:

SF217 prohibits a lender from contracting for or receiving a finance charge which exceeds 21 percent per year on the unpaid balance of a loan for money which is secured by a certificate of title to a motor vehicle.

2/28/05 Commerce.

HF144 makes amendments to deposit services, more commonly known as payday loans.

1/31/05 Commerce, Regulation & Labor.

SF145 creates a new Code chapter known as the “Iowa Refund Anticipation Loan Act”. The Code chapter regulates transactions in which a consumer pays a fee to receive a loan or check in advance or in anticipation of receipt of an IRS tax refund. The facilitator must disclose to consumers the fees charged, the loan interest rate, and that a consumer can receive a tax refund in about 10 days without the fees required by such a loan or check.

2/17/05 Commerce.

HF352 creates a new Code chapter known as the “Iowa Refund Anticipation Loan Act”.

2/18/05 Commerce, Regulation & Labor.

HF501 prohibits a person from engaging in a business that makes, offers, or arranges, or acts as an agent in, the provision of payday lending services.

3/1/05 Commerce, Regulation & Labor.

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ICSW SUPPORTED

HF842 expands the current prohibitions on unfair and discriminatory practices in educational programs to add sexual orientation or marital status

4/6/05 introduced, referred to Education

SF150 expands the current prohibitions on unfair and discriminatory practices in educational programs to add sexual orientation or marital status

2/15/05 Education.

SF126 defines “sexual orientation” and “gender identity” and prohibits discriminatory employment, public accommodation, housing, education, and credit practices based upon a person’s sexual orientation or gender identity. However, the bill does allow for the imposition of qualifications by bona fide religious institutions based upon sexual orientation or gender identity if related to a bona fide religious purpose.

2/10/05 State Government.

HF596 prohibits discrimination in employment, public accommodation, housing, education and credit practices based upon a person’s sexual orientation or gender identity under the Iowa civil rights act.

3/4/05 Judiciary.

ICSW SUPPORTED

SF156 directs the Iowa department of public health to establish a lay health workers network to utilize individuals who live in and reflect the ethnic, cultural, and socioeconomic characteristics of the communities in which they serve to provide home visits and case management with the oversight of nurses and social workers to supplement the work of the public health nursing program. The bill also appropriates \$1 million for FY 2005-2006 for the purposes of the network.

2/22/05 Appropriations.

HF393 directs the Iowa department of public health to establish a lay health workers network to utilize individuals who live in and reflect the ethnic, cultural, and socioeconomic characteristics

of the communities in which they serve to provide home visits and case management with the oversight of nurses and social workers to supplement the work of the public health nursing program; also appropriates \$1 million for FY06.

2/23/05 Human Resources.

ICSW SUPPORTED

SF162 directs the director of human services to seek a waiver from the centers for Medicaid and Medicare services of the United States department of health and human services to expand the hawk-i program to cover parents of children who are eligible for coverage under that program.

2/21/05 Human Resources.

ICSW SUPPORTED

HF841 Medicaid waiver requests a waiver to expand coverage under Iowa Cares to more Iowans and specifically targets parents of covered children – premium payment may be assessed at 1/12 of 2 percent income level UP TO 100 percent federal poverty level income and 1/12 of 5 percent income level UP TO 200 percent poverty level income

4/20/05 Passed House 100/0

5/4/05 Passed Senate 45/1 w/amendment

5/9/05 Passed House 93/1

5/12/05 Signed by Governor

ICSW SUPPORTED

HF862 provides coverage to women who require treatment for breast or cervical cancer in the supplement medical assistance program appropriations for the fiscal year 2006

4/20/05 Passed House 100/1

4/29/05 Passed Senate 38/8 w/amendment

5/9/05 Passed House 96/0

6/14/05 Signed by Governor

ICSW OPPOSED

HF787 (formerly HSB253) required a health care provider who induced a termination of

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pregnancy when the patient is a minor to report if notification was provided to a parent of the minor, if the minor obtained a waiver of the notification requirement from the juvenile court, or if the requirement of notification of a parent was inapplicable and the reason that the requirement was inapplicable.

3/21/05 Passed House 98/0

4/7/05 Senate Human Resources recommended passage

4/14/05 placed on calendar under unfinished business

4/21/05 Deferred

HF287 amends Code chapter 135L to require consent of a parent prior to the performance of an abortion on a minor. Current law requires notification of a parent at least 48 hours prior to the performance of an abortion on a minor.

2/11/05 Human Resources:

HF376 establishes limitations on family planning grant funds, the activities that recipients of family planning grant funds may engage in, and the affiliations of recipients with organizations that provide abortion services.

2/22/05 Human Resources:

SF186 is the “Unborn Child Pain Awareness and Prevention Act,” which requires certain conditions to be met, except in the case of a medical emergency, prior to the performance of an abortion on a pregnant woman, if the probable gestational age of the unborn child is 20 weeks or more.

2/21/05 Human Resources

HF380 creates a new Code chapter, the “Unborn Child Pain Awareness and Prevention Act”.

2/22/05 Human Resources

Note: Bills introduced and in process from the first year of the session may be taken up and processed during the second year of the 81st General Assembly, which is why we have reported on bills where action is not completed.

ICSW SUPPORTED

HF420 (formerly HSB117 & SSF1044) provides mental health parity insurance (benefits for treatment of a biologically based mental illness)

2/28/05 Passed House 74/24

4/26/05 Passed Senate 38/12

5/2/05 Signed by Governor

ICSW SUPPORTED

HF64 provides mental health and substance abuse insurance parity; creates new Code 514C.22

1/14/05 Human Resources.

HF89 relates to third-party payment of health care coverage costs for mental health conditions, including alcohol or substance abuse treatment services.

1/20/05 Commerce.

SF48 (formerly SSB1045) provides mental health and substance abuse parity insurance

1/31/05 Commerce.

SF174 provides mental health, eating disorders, and substance abuse parity insurance

2/22/05 Commerce.

SSB1098 provides mental health and substance abuse parity insurance

2/1/05 Subcommittee.

ICSW SUPPORTED

HF148 prohibits the use of gender as a factor supporting any type of discrimination in the business of insurance.

1/31/05 Commerce Regulation & Labor.

ICSW SUPPORTED

SF354 (formerly SF299) requires the division of insurance of the department of commerce to implement one or more small employer group health insurance pilot projects for the purpose of providing employers with fewer than 26 employees greater flexibility in the types of group

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health insurance coverage available for their employees.

3/24/05 Passed Senate 48/0

3/29/05 House Commerce.

SF9 instructs Human Services, in cooperation with Public Health and Insurance to develop a plan to provide health care coverage to all children in the state under age 18 by the year 2010

1/11/05 Human Resources.

HF78 establishes a healthy Iowa for all (HIFA) program which includes the HIFA health insurance program, the HIFA program fund, the Iowa quality forum, the HIFA high-risk pool, and state health planning.

1/19/05 Commerce.

ICSW SUPPORTED

HF107 adds a requirement that the telephone number for an insured to obtain more information about the external review process be printed on the insured's insurance card, and be posted in a prominent place in health care facilities.

1/21/05 Commerce.

HF171 requires that every insurance identification card, including prescription drug information cards, include a telephone number to request an external review of denied insurance coverage by the insurance commissioner. The bill requires all hospitals, clinics, health care facilities, and any other place of business that provides health care services to post notices in the place of business for public view regarding the right to request an external review of denied insurance coverage by the insurance commissioner.

2/1/05 Commerce, Regulations & Labor.

ICSW SUPPORTED

HF819 (formerly HF353 & HF736 & SF412) establishes an Iowa long-term care asset disregard incentive program to provide incentives for individuals to insure against the costs of their long-term care needs, provide a mechanism for individuals to qualify for coverage of the costs of

their long-term care needs under the medical assistance program without first being required to substantially exhaust all their resources, increase access to and the affordability of long-term care insurance, and alleviate the financial burden on the state's medical assistance program by encouraging the pursuit of private initiatives.

4/25/05 Passed House 99/0

4/26/05 Passed Senate 49/1

5/2/05 Signed by Governor

ICSW SUPPORTED

HF75 and **HF80** restores the right to register to vote and to vote automatic upon a person's release from probation, parole, or work release, or upon completion of the person's term of confinement and upon the person making full restitution, including completion of a community service requirement. By operation of law, persons whose rights have been restored are eligible to run for elective office.

1/19/05 State Government.

SF63 makes restoration of the right to register to vote and to vote automatic upon a person's release from probation, parole, or work release, or upon completion of the person's term of confinement.

1/26/05 State Government

ICSW SUPPORTED

HF875 appropriates \$1,161,045 in fiscal year 2006 and \$1,521,045 in fiscal year 2007 for the costs associated with the replacement of the powerhouse facilities at the Iowa juvenile home at Toledo.

5/10/05 Passed Senate 44/2

5/20/05 Passed House 94/1

6/15/05 Signed by Governor

ICSW SUPPORTED

HSB104 creates the substance abuse treatment and prevention fund including \$5 million department of public health for expansion and

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maintenance of community-based substance abuse treatment programs.

SSB1039 creates a substance abuse prevention and treatment fund, and providing for standing appropriations from the fund.

ICSW SUPPORTED

SCR9 creates a criminal code revisions legislative study committee

4/19/05 adopted by Senate

ICSW SUPPORTED

HF292 prohibits the knowing sale, disposal, possession, shipment, transportation, receipt of a firearm or offensive weapon by a person who is the subject of a protective order or by a person who has been convicted of a misdemeanor crime of domestic violence

2/15/05 Public Safety.

SF310 – companion bill to HF292

3/8/05 Judiciary.

ICSW SUPPORTED

HF619 allows mandatory notification by law enforcement to sexual assault victims of their specific rights, and amends the Code of Iowa to improve the crime victim notification process to allow registration at any point with registration information contained in one centralized database which can be accessed by all components of the justice system, and improved access to FBI background checks to allow victim service agencies to check national criminal records for potential employees and volunteers of sexual assault centers.

5/10/05 Passed House 97/0

5/20/05 Passed Senate 48/0

6/14/05 Signed by Governor

ICSW SUPPORTED

HF243 provides that a person who attempts to violate a temporary or permanent protective order commits a simple misdemeanor, or the court may hold such a person in contempt of

court. Current law applies such penalties to persons who actually violate the described orders and agreements. A person convicted or held in contempt for a violation of this bill is required to serve a jail sentence. A simple misdemeanor is punishable by confinement for no more than 30 days and may include a fine of at least \$50 but not more than \$500. Contempt of court is punishable by confinement for no more than six months and may include a fine of at least \$500.

2/10/05 Judiciary.

ICSW SUPPORTED

HF361 provides that a landlord may not retaliate against a tenant by increasing rent, decreasing services, or by bringing or threatening to bring an action for possession after the tenant has summoned or received police or emergency assistance in response to a family violence or domestic abuse situation.

2/22/05 Judiciary.

HF444 relates to residential landlord-tenant law, by making certain changes related to family violence and domestic abuse.

3/1/05 Judiciary.

HF554 prohibits a landlord from retaliating against a tenant of a dwelling unit or a mobile home space by terminating a rental agreement, raising rent, or decreasing services after the tenant has received police or emergency services in response to a family violence or domestic abuse situation. A tenant subjected to retaliation by a landlord may file a civil action to recover actual damages, reasonable attorney fees, and possession of the dwelling unit. The bill also provides that a landlord must have good cause before terminating a mobile home space rental agreement

3/3/05 Commerce, Regulation & Labor

ICSW SUPPORTED

HF359 relates to the time period used to enhance a domestic abuse assault charge and provides that a conviction for, deferred judgment for, or plea of

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guilty to a domestic abuse assault which occurred prior to the current charge of domestic abuse assault shall be considered in determining whether the current violation is classified as a second or subsequent offense. Current law limits the time period used to enhance a domestic abuse assault charge to a six-year period.

2/22/05 Judiciary.

ICSW SUPPORTED

HF249 provides a FY05-06 appropriation to the family investment program account administered by the department of human services and allocates the appropriation for the family development and self-sufficiency grant program. The bill states that the appropriation, when combined with other funding designated for the program for the fiscal year, is intended to restore the funding for this program to the level committed to this program in prior fiscal years.

2/9/05 Human Resources.

ICSW SUPPORTED

HF882 amendment 3274 increases the percentage of real estate transfer tax

5/6/05 S-3274 filed, lost

SF387 increases the percentage of real estate transfer tax receipts to the housing trust fund to 25 percent and the percentage is increased each fiscal year by 5 percent beginning 7/1/05.

Secures a permanent, dedicated source of funding for the state housing trust fund.

3/22/05 Ways & Means.

HF880 (formerly HF815) increases the percentage of real estate transfer tax receipts in the housing trust fund until July 1, 2012, and each fiscal year thereafter, when fifty percent of the receipts shall be deposited in the general fund, forty-five percent of the receipts shall be transferred to the housing trust fund, and five percent of the receipts shall be transferred to the shelter assistance fund.

4/28/05 Passed House 100/0

4/29/05 Senate Ways & Means.

HF522 deposits 25 percent of the state's share of the real estate transfer tax in the Iowa housing trust fund and lowers the amount deposited in the general fund to 70 percent. Currently, 95 percent of the state's share of the real estate transfer tax is deposited in the general fund of the state and 5 percent is deposited in the shelter assistance fund.

3/17/05 Appropriations.

ICSW SUPPORTED

SF406 (formerly SSB1308) adds to the list of school improvement advisory committee recommendation areas, that school districts and schools must consider the committees' recommendations regarding harassment or bullying prevention goals, programs, training, and other initiatives.

4/14/05 Government Oversight
recommended passage

HF382 requires school boards to adopt and annually review a policy prohibiting bullying and harassment of all students.

2/22/05 Education

HF367 establishes state and school antiharassment or antibullying policies, providing data collection and reporting requirements, and providing for immunity and other related matters

2/23/05 Education

3/23/05 Deferred

Public Hearing

At a public hearing each fall, the ICSW listens to organizations, agencies, and individuals express their legislative concerns regarding women. From that hearing, the ICSW Legislative Committee and staff meet to develop a slate of proposals used as the foundation for the next year's advocacy efforts along with recommendations from previous years.

The 2005 public hearing was held on October 26 in Urbandale. Announcements requesting

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testimony were sent to statewide media outlets, women's organizations, and state agencies.

Twenty-three individuals/organizations testified. Jodi Tomlonovic, Family Planning Council of Iowa testified on women's health issues. Di Findley, Iowa CareGivers Association, spoke about aging issues and long-term care. Dennis Dietz, Iowa Finance Authority, and Victor Elias, Child and Family Policy Center, provided testimony regarding economic issues. Brad Clark of the GLBT Youth in Iowa Schools Task Force, Sandy Vopalka of Equality Iowa, and Alicia Claypool of the Iowa Civil Rights Commission spoke on equality. Speaking on justice issues were Vicki Place, Iowa Friends of Legal Service; Carlos Jayne, Friends of Iowa Women Prisoners; Donna Christensen, Coalition for Divorce Reform; Alex Orozco, Network Against Human Trafficking; and Lori Rinehart, Iowa Gender-Specific Services Task Force. Testifying about violence against women were Nancy Robertson, Iowa Coalition Against Domestic Violence, and Susan Temere. Carolyn Nelson, Iowa Public Health Association, and Mary O'Brien, Visiting Nurse Services, spoke about health. Kelly Sawyer, Every Child Counts, gave child care testimony. Ann Wiebers of the Iowa Department of Human Services testified about welfare. The following provided written testimony: Jill June, Iowa Planned Parenthood Affiliate League; Karen Kubby, Emma Goldman Clinic; Cecilia Arnold, National Catholic Rural Life Conference; Iowa Juvenile Home Foundation Board of Directors; and attorney Patrick Brooks.

2006 Proposals to the Governor and 81st General Assembly

The ICSW endorses, in no particular order, the following 2006 Proposals.

Priorities

As priority areas being proposed to the Governor and General Assembly for 2005, the ICSW supports:

- Allocation of a percentage of Civil Money Penalties annually to be used for direct care worker recruitment and retention initiatives. (Aging Issues and Long-Term Care)
- Maintaining matching funds to allow Iowa Department of Human Services to draw down from the Child Care Development Fund. (Child Care)
- Increase in the minimum wage. (Economics)
- Legislative proposals addressing predatory lending, including predatory home mortgage lending, payday loans, tax refund anticipation loans and car title loans. (Economics)
- Enactment of a bill requiring all school districts to adopt anti-discrimination, anti-harassment, and anti-bullying policies to protect all students. (Equality)
- \$1 tobacco fee increase. (Health)
- State legislation to a) provide a penalty; b) provide protections for victims of trafficking, and immunity from illegal activities related to human trafficking; and c) establish training standards for state and local law enforcement agencies on human trafficking. (Justice)
- Restoration of stable funding for domestic violence and sexual assault programs in the state budget to a minimum of \$2.25 million dollars. (Violence Against Women)

Legislative Proposals

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Aging Issues and Long-Term Care

In 2004, Iowa ranked first in the percentage of population over 85 years of age and fifth in the percentage of population over 65 years of age and older. Additionally in 2004, 57 percent of persons over 65 in Iowa were women. As the baby boom generation gets older, the need for both paid and unpaid caregivers will increase. A 2004 ICSW study on CNA wages and benefits found that 82 percent earn under \$12 per hour with few benefits and high turnover. A typical family caregiver in today's society is an educated, working, married woman in her mid-forties who spends about twenty hours per week providing unpaid care to her mother. To address the needs of the aging, and of paid and unpaid caregivers for dependent adults, the ICSW supports:

- 1. Allocation of a percentage of Civil Money Penalties annually to be used for direct care worker recruitment and retention initiatives. (2006 Priority)**
2. Amendment of state tax policy in the *Code of Iowa* Chapter 422.9(2)(e) regarding tax deduction to include spouse, brother, and sister for whom in-home care is given.
3. More standardized education, continuing education, and opportunities for advancement for direct care workers (nurse aides/home care aides) in order to ensure equitable pay.
4. Maintaining Iowa CareGivers Association funding through Elder Affairs.
5. Appropriation to support the maintenance and expansion of the Iowa Nurse Aide Registry/Direct Care Worker Registry.

Child Care

The percent of Iowa mothers with children under age six in the labor force is 78.8, and 84.8 percent of mothers with children ages six to seventeen only

are in the labor force. According to the 2004 American Community Survey, Iowa has the highest percentage of women in the workforce with children under six. Child care is an economic and social infrastructure issue that affects the bottom line for business, the standard of living for families, and the future competitiveness of the state. To insure quality affordable child care, in particular for women seeking training and/or employment, the ICSW supports:

- 1. Maintaining matching funds to allow Iowa Department of Human Services to draw down from the Child Care Development Fund. (2006 Priority)**
2. An increase in funding levels for the Iowa Community Empowerment school-ready and early childhood programs for zero to five.
3. A child care and/or preschool subsidy for every Iowa family below 85% of the state median income.
4. Adequate compensation, including benefits, for childcare workers.
5. A professional development system for child care/preschool workers of prerequisite and on-going training, and a process for credentialing workers.
6. Requirement that all child care/preschool settings be licensed and adhere to standards that ensure quality care and experiences.
7. Additional quality early childhood programs through:
 - a. provision of resources for the TEACH education and compensation program;
 - b. increasing the funding for monitoring and support of child care centers and Child Development Homes; and

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- c. increasing the child care provider reimbursement payments to child care programs to meet the most recent market rate.
8. State investments in Head Start and Early Head Start.
9. Instituting an At-Home Infant Care (AHIC) program.

Economics

In 2004, 64 percent of Iowa women age 16 and older were in the workforce, which represented 47 percent of the total workforce. The 2004 American Community Survey found that Iowa women earned 73.7% of what Iowa men earn. According to the Iowa wage study released in 2000, 64 percent of female respondents reported annual wages of \$25,000 or less while 66 percent of males reported wages over \$25,000. To address the economic needs of Iowa women, the ICSW supports:

- 1. Increase in the minimum wage. (2006 Priority)**
- 2. Legislative proposals addressing predatory lending, including predatory home mortgage lending, payday loans, tax refund anticipation loans and car title loans. (2006 Priority)**
3. Development of a plan for extending a comparable worth policy to all public employees in Iowa, with state assistance to local government entities in conducting comparable worth studies and a plan for making state revenue-sharing monies at future dates contingent upon adopting comparable worth pay schedules for local government employees.
4. Increased funding for Iowans in Transition program grants through the ICSW at the FY01 level of \$185,000 providing pre-

employment services to an additional 900 displaced homemakers, single parents or female offenders.

5. Development of a plan to achieve pay equity for employees in private industry furthering the goal of eliminating wage discrimination on the basis of gender.
6. Continued financial assistance to targeted small businesses.
7. Legislation to outlaw the unfair employment practice of discrimination based on a person's use of Family Medical Leave.
8. A legislative resolution to study the economic, fiscal, and social impact of the establishment of a living wage in Iowa.
9. Opposing an amendment to the Iowa Constitution providing for public vote on tax increases.
10. Establishing a vehicle for 12 weeks of partial wage compensation for a person taking family and medical leave.
11. Legislative changes for clarification and cost savings for the Child Support Recovery Unit's operations.

Equality

The 2004 Status of Iowa Women Report documents the need for continuing to improve the quality of life for women in this state. To achieve equality while improving the status of women, the ICSW recommends:

- 1. Enactment of a bill requiring all school districts to adopt anti-discrimination, anti-harassment, and anti-bullying policies to protect all students. (2006 Priority)**

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2. State funding to provide staff and support for the provision of technical assistance on educational equity for school districts and to monitor implementation of Iowa's multicultural, gender-fair curriculum requirement as well as Title IX.
3. Incentives for males and minorities to enroll in programs for training elementary education teachers and secondary family and consumer science teachers, and for females and minorities to enroll in programs of training for secondary industrial technology, mathematics, and science teachers.
4. Gender balance on boards and commissions of political subdivisions of the state.
5. Amending the Iowa Civil Rights Act to prohibit discrimination on the basis of sexual orientation and identity.
6. Increased funding for the Iowa Civil Rights Commission.

Health

Good health is essential to leading a productive and fulfilling life and to participating fully in the economic, social, and political life of the state. It requires safe and healthful physical and social environments, sufficient incomes, safe and adequate housing, proper nutrition, preventive treatment, and education on maintaining healthful behaviors. It is an irony that many health care workers do not earn enough to afford their own health care coverage. To increase the quality of health in women, the ICSW supports:

1. **\$1 tobacco fee increase. (2006 Priority)**
2. Focusing on health care reform until health care coverage is accessible to all Iowans.
3. Full funding and implementation of the State Children's Health Care Initiative (*hawk-i*),

with consideration of available options including coverage of parents.

4. Continued funding for statewide chlamydia screening.
5. Access to mammography, colposcopy, and screening for diabetes for low-income women without Medicaid.
6. Continued funding for follow-up treatment when screening for breast and cervical cancer indicates abnormalities.
7. Coverage for screening tests for women who are at risk for ovarian cancer.
8. Increased funding of family planning services through Temporary Assistance for Needy Families (TANF).
9. Access to all reproductive health care options for women as currently available.
10. Increased funding for comprehensive adolescent pregnancy prevention programs.
11. Requirements that sexuality education be science-based and accurate.
12. Funding for services for pregnant and parenting teens at the current level.
13. Increased reimbursement rate under Title XIX for dentists to care for children in WIC and Head Start programs.
14. Increased funding to programs for quality substance abuse treatment, including treatment tailored specifically for methamphetamine use.

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15. Opposition to any legislative language defining when life begins.
16. Full funding for Medicaid per Iowa Department of Human Services request rather than utilizing the supplemental strategy.
17. Open access to psychiatric medications that are most effective in treating mental illness.
18. Mandate that maternal depression be screened for during perinatal visits and pediatrician visits with new mothers and insure that treatment for the disease is covered by insurance.
19. Separate appropriation to Iowa Department of Public Health for screening for perinatal depression.
20. Increased provider rates for Medicaid services.

Insurance

In recognition of the needs of all persons to insure against the risks related to illness, disability, retirement and death, and in particular noting the needs of persons following divorce or disability or death of a spouse, the ICSW supports:

1. Equality for substance abuse treatment coverage.
2. Elimination of discriminatory practices on the basis of gender or marital status in the issuance or operation of any type of insurance policy, plan, program, or coverage, including but not limited to rates, payments, or benefits; for example, exclusion of obstetrical care for unwed dependents.
3. Continuing to reform health insurance coverage for the uninsured and underinsured.
4. Expansion of relationship definition for family coverage health insurance to include members

in the same household.

5. Requirement that the phone number to call and obtain more information about the external review process be printed on insurance cards and be posted in a prominent place in health care facilities, so that a person who has been denied coverage knows how to appeal.
6. Tax credits for long-term care insurance.

Justice

Women in Iowa have unique needs relative to the administration of justice in all areas, including legal assistance. The female prison population in Iowa is on the rise, climbing from fewer than 100 in 1985 to 558 at midyear 2005. The ICSW supports:

1. **State legislation to a) provide a penalty; b) provide protections for victims of trafficking, and immunity from illegal activities related to human trafficking; and c) establish training standards for state and local law enforcement agencies on human trafficking. (2006 Priority)**
2. Continuation of stable funding for Legal Aid.
3. State appropriation for infrastructure improvements at the Iowa Juvenile Home.
4. The establishment of a gender-specific continuum of care for females beginning with restricting all 100 placements at the Iowa Juvenile Home to females.
5. Strengthening and expanding our community based corrections as a way to alleviate the growth of our prison population.
6. Corrections budget funding to provide for adequate staffing commensurate with Iowa's

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growing offender population for the safety of the public, staff and offenders.

7. Elimination of mandatory minimum sentencing and restoring more discretion in sentencing to the judiciary.
8. Intensive residential community-based facility for drug offenders on probation.
9. Expansion of substance abuse treatment in prisons and in the community based correction facilities.
10. Re-visiting the proposal to use 100 beds at the former Knoxville VA facility for substance abuse treatment.
11. Re-emphasizing (and supporting with resources) the importance of education in rehabilitation and re-entry programming to reduce recidivism.
12. Establishing and funding additional restorative justice programs.
13. Continuation of no-fault dissolution of marriage.
14. State funding for the Star Therapeutic Community Program at the Iowa Correctional Institution for Women.
15. Opposition to reinstatement of the death penalty.
16. Changes in the *Code of Iowa* Chapter 729A.2 to add the words “actual or perceived” to the definition of a hate crime.

Violence Against Women

Since 1995, 92 Iowa women and 14 Iowa men have been killed by their partners. In fiscal year

2005, 22,331 victims of domestic violence were served by programs receiving state dollars. That same year, 5,304 adult, teenage, and child survivors of sexual assault sought services from Iowa’s sexual assault crisis centers. In light of the number and degree of violent incidents committed against women, the ICSW supports:

- 1. Restoration of stable funding for domestic violence and sexual assault programs in the state budget to a minimum of \$2.25 million dollars. (2006 Priority)**
2. Amending *Code of Iowa* Chapter 724.26, so that state law is the same as the federal law that prohibits persons who have committed domestic violence or who are subject to a no-contact order from possessing firearms.
3. Amending the *Code of Iowa* Chapter 562A.36 to ensure that victims of domestic violence can call the police or emergency assistance without facing eviction, and provide a civil penalty for violations of this right.
4. Repeal of or change in *Code of Iowa* Chapter 708.2A(5)a that limits the time frame for counting previous domestic violence convictions.
5. Legislation requiring every state department or agency referenced in the annual Domestic Violence Death Review report to respond to the recommendations in writing within sixty days of the issuance of the report.
6. Establish affirmative defense for victims of domestic violence to the crime of child endangerment for a) knowingly permitting a child or minor to be present at a location where Methamphetamine is manufactured or

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a precursor is possessed with an intent to manufacture and b) cohabitating with a person after knowing the person is required to register or is on the sex offender registry.

7. Amending *Code of Iowa* Chapter 915.20A, so that state law is the same as the federal law that will clarify confidentiality provisions and prohibit the entrance of any personally identifying victim information into a database and instead provide that only aggregate data is input.
8. Mandate sexual harassment prevention training of supervisors for private employers with 50 or more employees.

Welfare

To endorse Iowa's efforts to reform the welfare system, particularly to make services available that promote economic self-sufficiency, the ICSW supports:

1. Full funding for child care, education, and training for Family Investment Program (FIP) participants through the maintenance of effort requirement for Temporary Assistance for Needy Families (TANF).
2. Increased grant level for the Family Investment Program (FIP).
3. Increasing work deductions (earned income disregards) under Family Investment Program (FIP).
4. Continued medical coverage for former welfare recipients beyond the one-year limit to cover the gap between leaving public assistance and becoming totally self-sufficient.
5. Fully restored funding for the Family Development and Self-Sufficiency (FaDSS) program.

6. Investment of work related TANF High Performance Bonus for one-time use to strengthen FIP employment and training programs, including Family Development and Self-Sufficiency.
7. Change in reports on earnings by FIP families from monthly to quarterly.
8. Expansion of PROMISE JOBS/Iowa Vocational Rehabilitation Services pilot to statewide program in order to better serve persons with disabilities.
9. Restoration of the Emergency Assistance Program for housing and utilities when Iowans are threatened with homelessness.
10. Restoration of \$400,000 appropriation to the Homeless Shelters Operations Grant (HSOG) through the Department of Economic Development.
11. Dedication of revenue from real estate transfer tax to fund homeless shelters, low income housing, and housing rehabilitation.
12. Establishing a permanent source of funding for the State Housing Trust Fund.
13. Continued investment to the Transitional Housing Revolving Loan Fund so that it may become self-perpetuating.

Proposals to Executive Branch for Administrative Action

The ICSW supports:

Economics

1. Promotion of state/federal dependent care pre-tax deductions for in-home day care, in-home nursing care, child day care, adult day

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care, and household services in conjunction with day care.

2. Promotion of earned income tax credit and child care income tax credit.
3. Promotion of assistance with tax preparation to low-income Iowans.
4. Amending the state plan for implementing the Workforce Investment Act to include a strong initiative for training women for nontraditional, higher-paying jobs.
5. Policies that promote job sharing and flex-time in employment.
6. Partnership with the Iowa Finance Authority in an effort to educate Iowa women on the opportunities available for down payment assistance and low interest rate mortgages.
7. Promotion of a requirement that credit be given for skills developed through volunteer and homemaker work experience for purposes of qualifying for hiring and promotion in all personnel selection systems in Iowa state government, its political subdivisions, and all businesses/parties that contract with the state government.

Education

1. Continuation of affirmative strategies to promote opportunities for women and minority persons in educational administration, which in turn results in role models for students and a vehicle for change in the educational environment.
2. Increased educational support for programs that encourage females and minority students to study mathematics, science, and technology at all levels as well as to pursue careers related to mathematics, science, and

computer technology.

3. Promotion of female participation in educational programs leading to nontraditional, higher-paying jobs.
4. Promotion of financial literacy courses in schools and communities.
5. Infusion of equity training and strategies for effectively working with diverse learners into the college level preparation programs for school administrators, teachers, counselors, and coaches.
(To supplement, not replace the current human relations courses.)
6. Encouragement for school districts to use methods and resources already at their disposal to gain equitable treatment for young women and men and to ensure quality educational environments that ensure that all students achieve to their maximum potential.
7. Provision of English as a Second Language adult education.

Government

1. Making services through the Department of Human Services (DHS) more accessible and understandable particularly emphasizing the need for advocates for clients of DHS.
2. Continuing redesign of the delivery system for financial assistance services so that families are served more quickly and effectively, which includes one point of entry.

Health

1. Promotion of prenatal screening to include counseling to high-risk women to have confidential HIV test and treatment if necessary to prevent transmission.

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2. Guaranteed eligibility, upon approval of a Medicaid waiver, for family planning services up to 24 months after a pregnancy has ended.
3. Monitoring managed care for substance abuse and mental health treatment to insure that specific needs of women, including aftercare, are met.
4. Monitoring the delivery of services through Empowerment Zones, to assure that needs of families are being met.
5. Encouraging the state to apply for a federal waiver to allow state employees access to the *hawk-i* program.
6. Education on the illegality of female genital mutilation (AKA female circumcision).
7. Appropriate response from law enforcement to harassment at reproductive health care facilities in Iowa.
5. Advocacy by legislators with the Department of Corrections in establishing and changing administrative rules involving the cost of telephone calls, visiting hours, and expanding the definition of family so contact from persons closest to the inmates is enhanced.
6. The mediation/arbitration approach to child custody except in cases where domestic violence or child abuse are involved.
7. Making services, such as mental health services, to families involved in the juvenile court available immediately.
8. Development of a new program to house children with their young mothers who are residents of the Iowa Juvenile Home.
9. Remove the ban on access to cable television by offenders in our prisons.

Justice

1. Monitoring the implementation of the Iowa Supreme Court's Equality in the Courts Task Force's final recommendations.
2. Continued education of judicial nominating commission members regarding the need to increase the number of women and minorities in the Iowa judiciary, and encouragement of judicial nominating commission members to give weight and consideration to relevant background and experience in the selection of candidates.
10. A 16-bed unit for enhanced programming for girls who are behaviorally and mentally challenged at the Iowa Juvenile Home.
11. A 40-bed unit for Child in Need of Assistance (CINA) males on a separate campus of the Iowa Juvenile Home.

Violence Against Women

1. Monitoring the implementation of recommendations of the Supreme Court Task Force on Courts' and Communities' Response to Domestic Violence.

Study Proposals

The ICSW supports:

1. Study of issues related to the awarding of guardianships, conservatorships, and

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- designation of other substitute decision-makers, taking into account the rights and needs of the parties involved.
2. Study through the Coalition Against Abusive Lending of check-cashing centers and currency exchanges, payday loans, rent-to-own operations, pawn shops, warranties for used cars, and same-day-pay temporary agencies, to ascertain extent of victimization of the working poor.
 3. Study of materials to determine whether financial advisors are being encouraged to sell products (e.g. insurance, trusts, annuities) based on gender assumptions such as the incompetence or unwillingness of women to handle financial affairs.
 4. Study of the need for substance abuse training for nurses.
 5. Study of a mechanism to expedite the reunification of parents with children taken away by the Department of Human Services.
 6. Study of issues related to child custody, including judicial discretion, rulings of Iowa judges, consideration of primary caregiver presumption, and consideration of shared custody presumption.
 7. Review of the statute of limitations in prosecution for child sexual abuse.
 8. Study by Iowa Department of Public Health of sickle cell anemia, diabetes, infant mortality and keloid treatment in African-Americans.
 9. Study of the reasons why women attorneys do not apply, or reapply, for appointment to judgeships in greater numbers.
 10. Study of judicial nominating commission legislation, including the possibility of alternating the male and female most senior justice as chair, and the possibility of increasing the number of applicants submitted to the Governor, balanced by gender.
 11. Study of various recommendations to revise the Civil Rights Code, enhancing penalties, increasing rights of complainants, and expanding coverage.
 12. Study of child support issues, including:
 - Amendment to *Code of Iowa* Chapter 633.425 classifying unpaid child support first in payment of debts of an estate;
 - Providing legal representation for persons seeking child support.
 - Institute child support assurance to aid families unconditionally until the state enforces and collects court-ordered child support.
 - Proposal to move child support enforcement and collections to the Department of Revenue.
 13. Study to determine the scope and nature of mandatory training in gender-specific services for appropriate staff at all state agencies involved with juvenile justice as well as any agencies that receive state funds.
 14. Study of the compensation for workers in treatment programs for adolescent females.
 15. Study of the unemployment rate of ex-offenders due to felony convictions to determine what effect this unemployment rate has on recidivism.
 16. Study of divorce law reform.

17. Study of positive pharmacy bill, which includes a) mandatory stocking of emergency contraception so all Iowa women have access to this effective second chance at birth control; b) defining the ownership of a prescription to be that of the woman, so that if an individual pharmacist refused to fill a particular prescription, they will be compelled to return it to its rightful owner, the woman; and c) allowing the individual pharmacist to refuse to fill a prescription, allowing them to live out their conscience, while at the same time compelling the pharmacy (business regulated by the State of Iowa) to have a back up system during their regular business hours, so that the consumer can still be served in a timely manner.

SOCIAL LIFE

The ICSW believes that in order to advocate for the full participation by women in the political, economic, and social life of the state, leaders in those areas need to be identified, recognized, and promoted as role models.

Cristine Wilson Medal for Equality and Justice

This award was established in 1982 and honors the woman who served on the Governor's Commission on the Status of Women and who first chaired the statutory Commission. From 1972 to 1976, Cristine Wilson led the Commission in combatting sex discrimination and in promoting equal opportunity. The medal is given to individuals--male or female--who have exhibited outstanding dedication and service on behalf of the ideals of equality and justice. Past recipients include Governor Robert Ray, Mary Louise Smith, Sue Follon, Patricia Gadelmann, Minnette Doderer, Lonabelle Kaplan "Kappie"

Spencer, Charles H. Bruner, Louise Rosenfield Noun, Mary Molen Wiberg, Betty Talkington, Maude Esther White, Naomi Christensen, Edna M. Griffin, Governor Terry E. Branstad, Suzanne O'Dea Schenken, Jane Elliott, Reverend Carlos Jayne, Rekha Basu, and Marie C. Wilson.

Susan C. Buckley

For over three decades, Susan C. Buckley has been an advocate for equality and justice in the State of Iowa across race, gender, and sexual orientation. Buckley created and directed the Pre-Vocational Training Program for Women with support from the Women's Educational Equity Act and Iowa Sex Equity Funds. For ten years, this highly innovative program encouraged and



prepared low-income Iowa women for careers in the skilled trades and technical occupations to ensure economic self-sufficiency. It served as a national model and a springboard for assistance to Iowa community colleges regarding

nontraditional occupation opportunities for women. Buckley also served as the director of the Women's Resource and Action Center during the 1980s. She successfully led efforts to expand the University's Human Rights statement to include protection for gays, lesbians, and bisexuals, and, earlier, efforts to expand the Iowa City Human Rights Ordinance to include sexual orientation. Within the University, Buckley advocated successfully for comparable worth to be the basis of compensation; for appropriate sexual harassment policy, procedures, and training; and for the University to offer domestic partner insurance to employees (the first university or public college in the United States to offer such a benefit). As a core member of Women Against Racism, Buckley led anti-racism workshops and coordinated statewide and national conferences

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on racism, and its connection to other forms of oppression. Buckley is a co-founder of the Iowa Women's Foundation, which supports empowerment of women and girls. She was honored with the Cristine Wilson Medal for Equality and Justice in 2005.

Friends of ICSW Banquet

The ICSW provided staff support for the Friends of ICSW luncheon and program that followed the Iowa Women's Hall of Fame Ceremony and reception on August 27, 2005. Held at Embassy Suites in Des Moines, the luncheon featured Joyce Keen, Ph.D. who presented "Gender Benders Through the Ages." State officials, Hall of Fame members, and Commissioners were specially recognized at the event, and the Friends of ICSW Endowment Fund education grants were announced.

Iowa Women's Hall of Fame

The Iowa Women's Hall of Fame was established by the ICSW in 1975 to honor outstanding Iowa women. Each year four women, living or deceased, are recognized for their significant contributions to our society.

The 32nd Annual Iowa Women's Hall of Fame Ceremony was held in Des Moines on Saturday, August 27, 2005 at the State Historical Building of Iowa, Des Moines. The reception in the atrium following the ceremony was funded by the Friends of the ICSW.

As usual, the ceremony was held close to Women's Equality Day, August 26, which commemorates the day in 1920 when American women first received the vote. At the ceremony, the Lt. Governor read the Women's Equality Day Proclamation.

Awards were presented to the recipients by Lt. Governor Sally Pederson, Commission Chairperson Kimberly Painter, and Hall of Fame Chairperson Holly Sagar.

The 2005 Hall of Fame Nominating Committee was composed of Holly Sagar, committee chair; Vicki Brown, commissioner; Angelica Cardenas-Chaisson, commissioner; Kimberly Painter, commission chairperson, *ex officio*; Camile Curley, citizen; and David Meeks, Iowa Department of Human Services.

The honorees represented a wide range of interests and accomplishments and have made extraordinary contributions in their various fields.

The following are biographies of the 2005 inductees.

Johnie Wright Hammond

Guided by an unshakeable belief in justice and dignity for all, in the power of public education, and the democratic process to effect change, Johnie Wright Hammond has been an Iowa leader in ways that are far reaching and enduring. She has been a tireless advocate for those sometimes forgotten: children, the elderly, persons with disabilities, women, and low income families and



individuals. She was the first woman elected to the Story County Board of Supervisors, and the first woman elected to represent Ames in the House of Representatives (12 years) and the Senate (8

years). While in the Iowa General Assembly, she played a key role in the women's caucus and helped enact landmark legislation that has improved women's lives: comparable worth, inheritance laws, minimum wage, health care for children, and the criminalization of marital rape. She authored legislation for gender balance on state boards and the Equal Rights Amendment to the Iowa Constitution. As a staunch defender of civil rights and an innovator for reform of the justice system in Iowa, she served on boards of directors for the League of Women Voters, Iowa Civil Liberties Union, Legal Services of Story

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County, Center for Creative Justice, and the Iowa Board of Corrections. She has a reputation for remarkable wit and humor even when addressing serious issues. Hammond was born August 22, 1932 in Eupora, Mississippi. She is an active American Baptist, and is deeply committed to her family including her husband Earl, their four children and eleven grandchildren.

Brenda LaBlanc

Brenda LaBlanc, born in Watford, England on April 15, 1928, moved to the east side of Des Moines in 1946 as a war bride. She began her advocacy when she was nearly 40 years old, contesting the City of Des Moines proposal to inspect every home and require repairs. That experience was a defining moment in her life as, with her neighbors, she took steps to address the



issues. Later, she and her husband were denied a home mortgage by five banks because their home was located in a low-income neighborhood. As a result LaBlanc began her 30 year mission to ensure that other qualified borrowers were not denied the credit they deserved. She joined Des Moines Citizens for Community Improvement and began using the Community Reinvestment Act to ensure banks met the credit needs of everyone, including those who lived in low-income neighborhoods. She has also advocated on other issues that impact people of modest means such as affordable utility rates and neighborhood drug activity. Because of her leadership skills, LaBlanc was recruited to be co-chair of National Peoples' Action in 2001, where she helps coordinate a coalition of hundreds of community organizations across the United States. LaBlanc connects people across racial, economic, ethnic, and geographical boundaries

and values working together with others to improve the community for all.

Susan Schechter

Susan Schechter, visionary national leader in shaping society's response to domestic violence and key figure in the American feminist movement of the late twentieth century, was a Clinical Professor of Social Work at the University of Iowa from 1993 until her untimely death in



February 2004. Among her major accomplishments are *Women and Male Violence*, a pathbreaking book that framed the issues surrounding violence against women in the home and has profoundly influenced

subsequent efforts to confront the issue; *When Love Goes Wrong* (with Ann Jones), a self-help book for women in abusive relationships; *Effective Intervention in Domestic Violence and Child Maltreatment* (known as the "Greenbook"), a guide to program development for professionals in child abuse and domestic violence; and AWAKE, the first program in the country to address child abuse in families afflicted by domestic violence, which she founded (with Lisa Tieszen) at Children's Hospital in Boston. As a result of her work, courts, public child welfare systems and community organizations alike have fundamentally changed their practice in dealing with women and children exposed to violence in the home. Susan Schechter was born in St. Louis on May 1, 1946.

Jo Ann McIntosh Zimmerman

Jo Ann McIntosh Zimmerman, of West Des Moines, is a catalyst for change. As a registered nurse, she worked to professionalize the image of nurses through the Iowa Nurses Association. Zimmerman served on the Waukee School Board

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Iowa Women's Hall of Fame Members

Mary Newbury Adams	Minnette Doderer	Alice Yost Jordan	Susan Schechter
Bess Streeeter Aldrich	A. Lillian Edmunds	Brenda LaBlance	Dorothy Schramm
Julia Faltinson Anderson	Lois Harper Eichacker	Anna B. Lawther	Jessie Field Shambaugh
Peg Stair Anderson	Mamie Doud Eisenhower	Meridel Le Sueur	Mary Jane Odell Siegler
Ruth Bluford Anderson	Mary Ann Evans	Mabel Lee	Georgia Rogers Sievers
Virginia Bedell	Beverly Everett	Twila Parker Lummer	Ida B. Wise Smith
Mildred Wirt Benson	Rosa Maria Escudé	Jean Hall Lloyd-Jones	Jeanne Montgomery Smith
Janice Ann Beran	de Findlay	Arabella Mansfield	Mary Louise Smith
Professor Mary Jaylene Berg	Diana "Di" L. Findley	Ola Babcock Miller	Marilyn E. Staples
Jessie Binford	Merle Wilna Fleming	Margaret "Peg" Mullen	Helen Navran Stein
Gladys B. Black	Sue Ellen Follon	Marilyn O. Murphy	Rowena Edson Stevens
Amelia Jenks Bloomer	Lt. Colonel Phyllis L.	Alice Van Wert Murray	Ruth Suckow
Joan Liffiring-Zug Bourret	Propp Fowle	Janette Stevenson Murray	Phebe W. Sudlow
Sue M. Wilson Brown	Gwendolyn Fowler	Ruth Cole Nash	Sister Patricia Clare Sullivan
Charlotte Hughes Bruner	May E. Francis, Ph.D.	Louise Rosenfield Noun	Adeline Morrison Swain
Fannie R. Buchanan	Mary Garst	Denise O'Brien	Margaret Boeye Swanson
Bonnie Campbell	Betty Jean Furgerson	Jessie M. Parker	Ruth Wildman Swanson
Mary E. Domingues Campos	Willie Stevenson Glanton	Sally J. Pederson	Elaine Eisfelder Szymoniak
Carrie Chapman Catt	Susan Glaspell	Ann Dearing Holtgren	Lois Hattery Tiffany
Betty Jean "Beje" Walker Clark	Mary Grefe	Pellegrino	Margaret Mary Toomey
Mary Frances Clarke, B.V.M.	Edna M. Griffin	Carolyn Pendray	Evelyne Jobe Villines
Mary Jane Coggeshall	Johnie Wright Hammond	Mary Louise Petersen	Nellie Verne Walker
Roxanne Barton Conlin	Virginia Harper	Mary Louisa Duncan Putnam	Jean Adeline Morgan
Joy Cole Corning	Helen B. Henderson	Glenda Gates Riley	Wanatee
Marguerite Esters Cothorn	Dr. Nancy Hill	Louise Rosenfeld	Beulah E. Webb
Rosa Cunningham	Cora Bussy Hillis	Eve Rubenstein	Mary Beaumont Welch
Lynn Germain Cutler	Helen LeBaron Hilton	Shirley Ruedy	Catherine Williams
Jolly Ann Horton Davidson	Pearl Hogrefe	Gertrude Durden Rush	Cristine Swanson Wilson
Evelyn Davis	Lou Henry Hoover	Edith Murphy Sackett	Annie Wittenmyer
Jacqueline Day	Dorothy Houghton	Agnes Samuelson	Maude Esther White
Dr. Ursula Delworth	Phyllis Josephine Hughes, JD	Annie Nowlin Savery	Mary E. Wood
Gertrude Dieken	Mabel Lossing Jones	Ruth Sayre	Jo Ann McIntosh Zimmerman



and in the House of Representatives, where she was the first nurse, from 1982 to 1986; and was the first woman elected Lieutenant Governor and President of the Senate in 1987. A

Democrat, she was elected by popular vote to serve alongside a Republican Governor. Zimmerman has worked consistently to encourage women to run for public office and helped to elect women through DAWN (Democratic Activist Women's Network), of which she is a co-founder. She has also been a

mentor for young girls in the Girl Scouts, brought the Mother of Twins Organization to Central Iowa, founded the Iowa Talented and Gifted: parents support group, developed human sexuality programs for teens and parents in her church, and many other projects to better the lives of Iowa families. Zimmerman continues to be an advocate for health care policy. She initiated the Health Ministry of the First Christian Church in Des Moines, where a weekly health tent at the Drake Neighborhood Farmer's Market offers free screenings and children's physicals. She has served numerous organizations, including the Iowa PTA Board, the Iowa League of Nursing Board, and Iowa Women's Political Caucus. She

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and her husband are parents of five children and two foster daughters, to whom they taught self reliance, public responsibility and good citizenship. Zimmerman was born on December 24, 1936 in Van Buren County, Iowa.

Write Women Back Into History Statewide Essay Contest

The *Write Women Back Into History* Essay Contest, cosponsored by the ICSW, the Iowa Department of Education, and the State Historical Society of Iowa, is administered each year by the

2005 *Write Women Back Into History* Statewide Essay Contest Winners

6-7 Grades Category

First Place

Sophia Dove, 6th Grade
Teacher: Jennifer Stoffer,
Prairie Middle School,
Cedar Rapids

Second Place

Johanna Uthoff, 6th Grade
Teacher: Lori Danker
Prairie Middle School,
Cedar Rapids

Third Place

Ariel Sinclair, 7th Grade
Teacher: Sue Griswold
Woodrow Wilson Junior High,
Council Bluffs

8-9 Grades Category

First Place

Robyn Michelle Johnson, 9th Grade
Teacher: Donna Bohlmann,
Eddyville-Blakesburg High School

Second Place

Annie Klodd, 8th Grade
Teacher: Karen Shayer
Indianola Middle School

Third Place

Kathryn M. Skilton, 9th Grade
Teacher: Bev Berns
Nashua-Plainfield High School

Best Essay on Women in Science and Engineering for 6-7 Grades

Courtney Ruff, 7th Grade
Teacher: Sue Griswold
Woodrow Wilson Junior High, Council Bluffs

Edith Rose Murphy Sackett Award on the Best Essays on a Woman Volunteer

First Place

Suzanne Sontag, 6th Grade
Teacher: Jane Kennedy
Parkview Middle School, Ankeny

Second Place

Korbin Hoffman, 6th Grade
Teacher: Jennifer Stoffer,
Prairie Middle School, Cedar Rapids

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ICSW and is open for participation by students in grades 6-9. Guidelines for the essay contest are made available on the ICSW's website and were e-mailed to previously participating teachers. Announcement of the contest was made to Area Education Agencies and in the press and education-related publications. Teachers are asked to encourage their students to write an original essay about a woman who they believe should be written into history. The purpose of the contest is to celebrate Women's History Month--March--and to increase the awareness of contributions made by Iowa women. Prizes are awarded to the first three winners and their teachers in the two grade divisions 6-7th and 8-9th. Special awards are given to the best essay on a woman volunteer and the best essays on women in science and engineering. Prizes include Women's History Month books and other memorabilia. The first-place winners also receive cash prizes.

Judging: Teachers are encouraged to sponsor the contest in their classroom. One finalist may then be submitted from each classroom to be judged by a committee made up of Iowa writers, historians, activists, and representatives of the sponsoring agencies. The 2005 judges were Tiffany Badow, Iowa Commission on the Status of Women; Cyndi Chen, Division of Vocational Rehabilitation Services; Brad Clark, GLBT Youth in Iowa Schools Task Force; David Meeks, Iowa Department of Human Services; Naomi Peuse, State Historical Society of Iowa; Paula Plasencia, Midwest Educational Resources Development Fund; Michelle Rubin, citizen at large; and Bill Silag, Iowa Department of Education.

PHOTOGRAPHS



Iowa Women's Hall of Fame Ceremony, August 27, 2005. Pictured left to right: Brenda LaBlanc, Susan Buckley, Jo Ann Zimmerman, Lt. Governor Pederson, Johnie Hammond, and Allen Steinberg, who accepted on behalf of his late wife, Susan Schecter.



Iowa's Women Lt. Governors and Hall of Fame Members JoAnn Zimmerman, Joy Corning, and Sally Pederson at the 2005 Iowa Women's Hall of Fame.



Lt. Governor Pederson with the Girl Scouts who presented the flags at the 2005 Iowa Women's Hall of Fame.

SECTION 3: Information/Participation

The Iowa Commission on the Status of Women (ICSW) office is a resource center for information on hundreds of topics relative to women and girls--publications, reference materials, and videotapes. And as mandated by the Code of Iowa, the ICSW provides assistance to organized efforts by communities, organizations, associations, government agencies, and other groups working toward the improvement of the status of women in Iowa.

INFORMATION

The ICSW provides information to the public and elected officials on many issues, including the status of Iowa women, nontraditional jobs, divorce, sexual harassment, gender-fair curriculum in education, and more.

Advocacy Directory

Originally undertaken jointly by the American Association of University Women --Iowa and the ICSW, with updating funded by the Family Community Leadership, the statewide advocacy directory was designed to provide a computerized guide to networks on women's issues in Iowa. In 2004 the directory was continually expanded and updated; approximately 6,200 persons are in the database for one or more of the 66 categories of interest and/or experience. As an ongoing commission program, the directory will continue to expand its database and its usefulness throughout the state, and additional persons and organizations will be identified on a regular basis. Printouts of category lists are available for a minimal fee from the ICSW; the Iowa women's organizations listing is free.

Internship/Volunteer Opportunities

The ICSW continued contact about available internships in its office to four-year colleges and universities statewide. Two interns were selected during the year. Many schools placed the

announcements in internship directories at their career planning and placement offices.

Media

The ICSW Executive Director serves as a media spokesperson for the Commission on issues relative to women across the state. During 2005, media contacts and topics discussed included: *Ames Tribune*, Iowa Women's Hall of Fame; *Des Moines Register*, gap between women's and men's salaries in state government, balancing work and family, low representation by women in high positions in corporations, young women and violence and aggression increases, women in government, and the Iowa Women's Hall of Fame; *Mason City Globe Gazette* on status of women; *Lee newspapers* on minimum wage; *Pocahontas Record Democrat* regarding the 85th anniversary of woman suffrage; *Radio-Iowa* on Iowa Women's Hall of Fame; *Waterloo Courier* on Iowa Women's Hall of Fame members from Northeast Iowa; *WHO Radio* on the *Status of Iowa Women Report*, women and economics, Equal Pay Day, Iowa Women's Hall of Fame, and the possibility of a woman being elected U.S. president; *WHO-TV* about the possibility of a woman being elected U.S. president and women in government; *WMT Radio* on ICSW issues and programs. The Iowa Women's Hall of Fame also garnered several articles in newspapers around the state. The ICSW issued a Mother's Day press release, along with the National Partnership for Women and Families, and was interviewed on Talk of

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Publications Available/Distributed Upon Request in 2005

	Paper	Web
2005 Proposals to the Governor and General Assembly	50	361
<i>Contingency Workers Study</i> (2001)	10	--
<i>Cristine Wilson Medal for Equality and Justice</i> (2003)	44	--
<i>Divorce: Things to Consider</i> (2002)	49	16,496
<i>Exploring Nontraditional Occupations for Women: Is This Job for You?</i> video	--	--
<i>Female Juvenile Justice</i> (1996)	53	1,224
<i>Financial Safety Planning for Older Women</i> (2000)	59	1,740
<i>Foundation 2 Discoveries</i>	--	1,156
<i>How to Get Your Bearings. How to Get a Job</i> (1998)	144	471
<i>Iowa CareGivers Wage and Benefit Report</i> (2004)	258	6,185
<i>Iowa Certified Nursing Assistant Wage and Benefit Survey</i> (2001)	2	2,126
<i>Iowa Commission on the Status of Women 2003 Annual Report</i>	1	266
<i>Iowa Commission on the Status of Women 2004 Annual Report</i>	18	210
<i>Iowa Commission on the Status of Women Legislative Report</i>	--	558
<i>Iowa Commission on the Status of Women Brochure</i>	203	224
<i>Iowa Gender-Specific Services Task Force Brochure</i>	279	--
<i>Iowa Gender Wage Study</i> (2000)	17	131
<i>Iowa Women and the Law</i> (English) (2002)	833	1,163
<i>Iowa Women and the Law</i> (Spanish) (2002)	56	540
<i>Iowa Women's Hall of Fame Biography Book</i> (2005)	106	1,632
<i>Pregnancy Factsheet</i>	51	336
<i>Promising Directions: Programs that Serve Iowa Girls in a Single-Sex Environment</i> (2000)	39	2,012
<i>Protocol Checklist</i> (2003)	--	1,057
<i>Providing Gender-Specific Services for Adolescent Female Offenders</i> (1999)	211	446
<i>Referral Information on Programs to Assist Women/Minorities in Establishing and Expanding Small Businesses</i> (2003)	29	677
<i>Sexism in Education</i> (2001)	34	1,685
<i>Sexual Harassment: It's Against the Law</i>	51	993
<i>Status of Iowa Women Report</i> (2004)		
Chapter 1	44	1,048
Chapter 2	44	454
Chapter 3	44	454
Chapter 4	44	454
Chapter 5	44	657
Chapter 6	44	623
<i>Why Not Women?</i> brochure on nontraditional jobs (1998)	16	--
<i>Write Women Back Into History Essays</i>	192	6,204

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Current Video/Audio Tapes

- A Century of Women -- Image and Popular Culture* (1/2" VHS) 1995-96
A Century of Women -- Sexuality and Social Justice (1/2" VHS) 1995-96
A Century of Women -- Work and Family (1/2" VHS) 1995-96
Equality: A History of the Women's Movement in America (1/2" VHS) 1996
Exploring Nontraditional Occupations for Women: Is This Job For You? (1/2" VHS) 1992
The Feminization of Poverty...Is This Happening in Iowa? (1/2" VHS and 3/4" videotape) 1983
A Fine and Long Tradition (1/2" VHS) 1996
One Fine Day -- A Celebration of American Women from the 18th Century to the Present
(1/2" VHS) 1987
League of Women Voters of Iowa -- video history interviews, 8 tapes (1/2" VHS) 1995-1996
Making Points—Examines sexual stereotyping for adolescents (1/2" VHS) 1987
School House Rock: History Rock (1/2" VHS) 1987
Show Me The Money: Paycheck Negotiation Workshop (1/2" VHS) 2001
Stop It: Students Speak Out About Sexual Harassment (1/2" VHS) 1994
The Uses of Suffrage: Women, Politics and Social Change Since 1920 (1/2" VHS) 1996
Voices of Women: Thinking Globally, Acting Locally (1/2" VHS) 1995
Women on Stamps (1/2" VHS) 1995

Iowa on WOI-Radio, KCPS-Radio in Burlington, WHO-Radio, Radio Iowa, and the *Des Moines Register*. Staff also submitted articles on members of the Iowa Women's Hall of Fame and status of women for *The Iowa Bystander*.

Publications

33rd Annual Report: The ICSW wrote, printed, and distributed its *2004 Annual Report*. Copies of the report were sent to the Governor, key legislators, and other interested parties.

2005 Status of Iowa Women Report: The ICSW began revising the 10th Edition report, which comprises information on population, education, health, economics, justice, and politics.

Cristine Wilson Award Recipients: In 1999 the ICSW developed a small publication featuring the Cristine Wilson Medal recipients. The piece was updated in 2005 and printed and posted to the website prior to the Iowa Women's Hall of Fame Ceremony--when the award is presented.

IoWoman: The ICSW edited six issues of this Friends of the Iowa Commission on the Status of Women bimonthly newsletter in 2005. The publication serves to inform Iowans of state and federal legislation and state and national issues, programs, and services of particular concern to women. In 2005, approximately 8,400 individuals and organizations received the *IoWoman* via mail or by e-mail (23 percent). Printing and postage of the newsletter were paid for by the Friends.

Iowa Women's Hall of Fame Book: The ICSW updated the book featuring biographies of all 124 women in the Hall of Fame. It also includes updates on members.

Other: In addition to the previously listed publications, the ICSW reprinted its brochure, *Divorce: Things to Consider*, and *Referral Information on Programs to Assist Women/ Minorities in Establishing and Expanding Small Business*. Video and audio tapes on various topics are also available for public access.

Technology/Web Site

Contained on the site are such items as ICSW

publications, including *IoWoman* newsletters; information on projects such as Women's History Month, Iowa Women's Hall of Fame and Gender-Specific Services Task Force; calendar of events; and legislation. Staff update the site on a regular basis. In 2005, the website had 44,194 visitor sessions and 329,191 web hits.

Information/Referral

ICSW responded to calls year-round from individuals who sought help and/or information on issues related to women's rights. Contacts, including serving on task forces and committees, for the year totaled 5,003 of which 44 were unequal status/discrimination calls, 121 were from persons at-risk, 27 were for small business information, 1,442 were for information and/or referral, and 3,368 were other issues.

PARTICIPATION

As mandated by the Code of Iowa, the ICSW participates in many activities/events and serves on committees/task forces to represent the interests of Iowa women. The ICSW participated in the following during 2005:

Grant Reviews

The ICSW reviewed grant proposals from sexual assault centers for Iowa Coalition Against Sexual Assault to award education and prevention funds.

Exhibits

In order to disseminate important information about women, the ICSW often exhibits at conferences and fairs and/or provides information to conference attendees. In 2005, the Commission exhibited at the Women's Resource Fair, Iowa State University, Ames; Central Iowa Society for Human Resource Management Network, Des Moines; Commission on Persons with Disabilities Youth Leadership Forum, Iowa

State University, Ames; Iowa CareGivers Association Conference, West Des Moines; Iowa's Mosaic Diversity Conference, Ames; Iowa League of Cities, Des Moines; and Whispers & Screams, Ames.

Public-speaking Engagements

Throughout the year, the ICSW was asked by many organizations, schools, and other interested parties to speak on issues related to women in the state. In 2005, ICSW spoke to the following: Des Moines Wells Fargo, Iowa Women's Hall of Fame; DMAACC, sexual harassment; Drake University, ICSW and women's issues; Marshalltown Optimist Club, Iowa Juvenile Home Foundation; University of Iowa School of Social Work, status of Iowa women; and Upper Iowa University, ICSW and women's issues.

Sponsorships

The ICSW sponsored a lunch and learn on January 6, 2005 to discuss the ICSW legislative priorities. Seven panelists spoke about the issues. The ICSW co-hosted a legislative meet and greet breakfast with the Iowa Commission on the Status of African-Americans, Commission on Latino Affairs, and Commission on the Status of Iowans of Asian and Pacific Islander Heritage. As part of the Department of Human Rights, the Commission helped to sponsor the 40th Anniversary Celebration of the U.S. Vote Rights Act of 1965. The ICSW also sponsored the Iowa's Mosaic Diversity Conference and Whispers & Screams (see page 42 for information). The Commission also met with representatives from the State Treasurer's office to hold a Women and Money Conference. Ultimately, due to budget constraints, the project planning was ended.

Other

International Visitors: The ICSW meets with worldwide women leaders through the Iowa

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Council for International Understanding, Iowa Resource for International Service, United States State Department, and other entities. At the meetings, exchanges are made on programs and initiatives designed to elevate the status of women. Representatives with whom the ICSW met in 2005 were from England, Mexico, and Zimbabwe.

National Association of Commissions for Women (NACW): Angelica Cardenas-Chaisson and Lori SchraderBachar attended the 2005 NACW Convention in Miami, Florida. SchraderBachar was appointed to a one-year term on the Board of Directors, and is chair of the Awards Committee.

Wage Compensation: The ICSW facilitated a meeting of representatives of various agencies and organizations considering vehicles for wage compensation for employees who take family and medical leave. Discussions were put on hold until a benefits survey conducted by Iowa Workforce Development is completed.

Women's Leadership Forum: The Iowa Commission on the Status of Women coordinated a leadership forum for Region VII the U.S. D.O.L. Women's Bureau on Wednesday, June 29, in Des Moines with twenty-one women from all over the state attending.

Additional Attendance/Participation

40th Anniversary Celebration of Iowa Civil Rights Act
AARP reception for national president
American Society for Public Administration
Better Jobs Better Care Coalition
Chrysalis Foundation, Women in Public Policy, and Iowa Women's Foundation Reception for Women Legislators
Chrysalis Foundation's coffees and lunches
Coalition Against Abusive Lending

Department of Human Rights Administrative Coordinating Council
Dedication of Susan Hunter Memorial Garden at the Iowa Correctional Institution for Women
Department of Human Rights Cultural Competency Work Group/Staff Development Work Group
Department of Human Rights Homeland Security Planning
Department of Natural Resources Embrace Diversity Committee
Des Moines Human Rights Commission symposium
Des Moines Pastoral Counseling Center for Women Helping Women luncheon
Disproportionate Minority Confinement/Contact Committee
Domestic Abuse Death Review Team
Federal Women's Event
Fort Des Moines Memorial Park and Education Center
Friends of Iowa Civil Rights, Inc. and Friends of Iowa Civil Rights, Inc. diversity conference planning committee
Friends of ICSW Women You Know, Women You Want to Meet fundraiser
Friends of Iowa Women Prisoners
Governor's Conference on Aging Steering Committee
Governor's Conference on Bullying and Harassment Committee
Governor's Press Conference announcing Executive Order restoring voting rights of felons
Greater Des Moines Habitat for Humanity - Women's Project
Greater Des Moines YWCA Women of Achievement
Health and Nutrition Conference
Healthy Iowans 2010 special populations review
Inclusive Communities
Indicators for Women's and Girls' Well-being follow-up

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International Women's Day Celebration Planning
Iowa Arthritis Task Force
Iowa CareGivers Association Caregivers Month
Celebration and annual meeting/dinner
Iowa CareGivers Association Conference
Planning Committee
Iowa Council for International Understanding
Poverty Forum
Iowa Educational Equity Council
Iowa Human Needs Advocates
Iowa Juvenile Home Foundation
Legislative Liaisons
Lt. Governor's Breakfast Reception for women
legislators and women leaders in state
government
Lt. Governor's Council on Violence Against
Women
Microsoft Women Executives
National Governor's Association Reception
National Housing Trust Fund conference calls
National Partnership for Women and Families
conference call on Family and Medical Leave
Act regulations update and paid sick days
Network Against Human Trafficking advocates
meeting with Governor's staff
Pipeline Project
Planned Parenthood of Great Iowa luncheon
Public Information Officers
Quality Child Care Forum
Safe Schools Coalition
State Outreach Council
Strategic Planning for Victim Services with Crime
Victim Assistance Division
Uncommon Network
WAYUP Conference Planning Committee
White Privilege Conference
Women of Influence Reception - *Business
Record*
Women's Business Exchange planning committee
Women's Health Committee
Women's Justice Coalition Event with Iowa Legal
Aid

SECTION 4: Contractual Agreements

The Iowa Commission on the Status of Women (ICSW) has contractual agreements to administer state fund appropriations to public and private nonprofit programs providing services to Iowans in Transition (displaced homemakers, single parents, and female offenders) and to administer state fund appropriations to the Iowa Coalition Against Domestic Violence (ICADV) and the Iowa Coalition Against Sexual Assault (IowaCASA) for training on issues related to domestic violence and sexual assault.

IOWANS IN TRANSITION GRANTS

During fiscal year 2005, the ICSW administered \$92,000 in state fund appropriations -- decreased 53.5 percent from \$198,000 in FY2001 -- as grants to five public and private nonprofit programs providing services to displaced homemakers, single parents, and female offenders, or Iowans in Transition. Displaced homemakers are individuals who have worked principally in the home providing unpaid household services for family members. They are persons who are unemployed or underemployed; have had or would have difficulty finding appropriate paid employment; and have been dependent on the income of another family member or on government assistance, and are no longer supported by that income. Programs that work with displaced homemakers, single parents, and female offenders help them deal with the trauma of their situation and prepare them for education and training toward self-sufficiency.

Reports from the programs with grants during fiscal year 2005 show a total of 1,431 (647 displaced homemakers, 699 single parents, and 85 female offenders) were served with counseling (1,136 persons); support services (555); workshop seminars (425); ABE, GED, and English as a Second Language (145); academic upgrading (289); and training for a degree (824). At intake, 53 percent were receiving welfare. Of those served, 1,337 were women and 94 were men. Racial breakdown follows: 1,104 whites, 189 African-American, 71 Latinas, 51 American Indians, 10 Asian-Pacific Islander and 6 unknown. Since July 1999, 16 of the 23 programs serving displaced homemakers in Iowa have closed. Nine of those programs had received ICSW Iowans in Transition grant funding.

Fiscal Year 2005 Grants: The ICSW also administered \$92,000 in grants for fiscal year 2006. Applicants for the grants were accepted

Fiscal Year 2005 Iowans In Transition Grant Recipients	
Community Programs	
Women Aware, Inc., Sioux City	\$23,200
Community Colleges	
Des Moines Area Community College, Boone/Carroll	\$20,000
Des Moines Area Community College, Des Moines	\$14,000
Iowa Lakes Community College, Estherville	\$20,000
Northeast Iowa Community College, Calmar/Dubuque	\$14,800

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Fiscal Year 2006 Iowans In Transition Grant Recipients	
Community Programs	
Women Aware, Inc., Sioux City	\$25,000
Community Colleges	
Des Moines Area Community College, Boone/Carroll	\$22,000
Des Moines Area Community College, Des Moines	\$13,000
Iowa Lakes Community College, Estherville	\$19,000
Northeast Iowa Community College, Calmar/Dubuque	\$13,000

from freestanding entities and subgroups or special programs sponsored by a larger organization. Eight applications were received from the programs located statewide. In June, the five-member Iowans in Transition Grant Review and Selection Committee met and made grant recommendations. The committee included Vicki Brown, chair; Tim Fitzpatrick; Lora Kelly-Benck; Kile Beisner; Kate Albrecht; and Charlotte Nelson, *ex officio*. Three grant proposal applications were denied due to insufficient funding.

Iowa New Choices: Commission staff participated in monthly conference calls with displaced homemaker/single parent and sex equity program coordinators and facilitated a meeting on March 9-10 regarding updates and funding issues on programs.

VIOLENCE AGAINST WOMEN

Addressing the priority area of violence against women is done through a cooperative relationship with the Iowa Coalition Against Domestic Violence (ICADV) and the Iowa Coalition Against Sexual Assault (IowaCASA). Resources and information are shared among the offices, thereby enhancing the ICSW's ability to carry out its responsibilities through interaction with these private, nonprofit agencies. Together, they work to strengthen efforts to prevent sexual assault and

domestic violence, and to support programs that provide services to victims. The two organizations were located with the ICSW until April of 1995.

Fiscal Year 2005 and 2006: The ICSW administered state fund appropriations of \$13,000 to IowaCASA to provide training to the public and community professionals on issues of sexual assault. ICADV was awarded \$13,000 to provide training to the general public, criminal justice system personnel, and community professionals on issues of domestic violence.

During fiscal year 2005, IowaCASA made 24 presentations to 817 members of the general public while providing technical assistance to 1,674 callers. Staff also made 87 presentations to 2,932 community professionals statewide and handled 7,328 technical assistance calls.

During fiscal year 2005, ICADV made 14 presentations to 416 members of the general public while providing technical assistance to 1,245 callers. Staff also made 117 presentations to 1,744 community professionals statewide and handled 3,320 technical assistance calls. Forty-four presentations were made to 1,622 members of the criminal justice system personnel and staff fielded 398 technical assistance calls in this category.

CHALLENGE GRANT

Iowa Gender-Specific Services Task Force

The ICSW renewed its intra-agency contract with the Iowa Division of Criminal and Juvenile Justice Planning (CJJP) to provide staff support to the Iowa Gender-Specific Services Task Force funded through the U.S. Department of Justice. This Commission employee fulfilled the contract terms, including convening the monthly Task Force meetings. The Iowa Juvenile Justice Advisory Council developed the Task Force to contribute to CJJP's and the State Advisory Group's activities as well as make recommendations related to gender-specific services. The Task Force involves key stakeholders in Iowa's juvenile justice system, particularly service providers who want comprehensive system change that reflects gender equity for girls and young women. The ICSW made periodic presentations and reports to the Iowa Juvenile Justice Advisory Council on the progress of the Challenge Grant Project.

“Whispers and Screams” Conference

Directed by the Task Force, the ICSW coordinated the conference, *Whispers & Screams are hard to hear: Creating an audience for girls' voices, Chapter 9: Outside In*, which was held May 12-13, 2005 in Ames. Two hundred six individuals from Iowa, Minnesota, Nebraska, Colorado and Canada participated in the two day event. Keynote speakers were Meda Chesney-Lind of the University of Hawaii at Manoa and Jessica Henderson Daniel of Harvard Medical School. Chesney-Lind's unflinching keynote, “*Gender and Justice: What about girls?*” provided a critical examination of the trends in juvenile female offending and treatment of young women in the juvenile justice system while Henderson Daniel's

powerful session, “Adolescent Girls of Color: Perceptions and perspectives” offered hope and guidance through examining the context for viewing adolescent girls of color in the United States. Ninety-eight percent of respondents evaluated the overall content and level of information offered at the conference as good or excellent.

Annual Task Force Retreat

The ICSW organized the annual retreat for members of the Iowa Gender-Specific Services Task Force and other invited professionals October 27 - 28, 2005. The retreat focused on two topic areas: “Relational Aggression and Young Women & Self-Care for Girls and the Women Who Work with Them” and were provided by Kathy Nesteby, coordinator of the Task Force.

Community Planning Initiative and Young Women's Empowerment Events Funding

At the end of 2002, the ICSW prepared and announced a request for proposals for two separate projects: a Community Planning Initiative and Young Women's Empowerment Events for calendar year 2003. In 2004, these projects were both continued at lesser funding levels. In 2005, funding for these projects was no longer available.

Girl Connection Newsletter

The *Girl Connection* newsletter continues to be produced bimonthly. During calendar year 2005, six editions of the *Girl Connection* were written and distributed electronically to nearly 700 recipients with another 180 going out by mail: February 2005: “Sexuality Education,” April 2005: “Friendship,” June 2005: “Eating Disorders,” August 2005: “Women's History,”

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October 2005: “FBI Data on Statutory Rape,”
December 2005: “Sexual Harassment in School.”
The *Girl Connection* newsletter is circulated in
28 states, the District of Columbia and Canada.

Other

The Task Force coordinator provided training/
technical assistance in the following venues: Sioux
City, IA – Women in Siouland Empowered -
WISE; Ames, IA – Governor’s conference on
Bullying and Harassment; Sioux City, IA -
Morningside College class; Ames, IA – Risky
Business conference; Fort Dodge, IA - Girls Day
Treatment Program; Calmar, IA – Girls on the
Move Conference; Estherville, IA – Forest Ridge;
Ankeny, IA – Des Moines Area Community
College; Ames, IA – Youth & Shelter Services;
Des Moines, IA – Afterschool Association
Conference; Council Bluffs, IA – Juvenile Justice
Conference. Training and technical assistance
topics were primarily for professionals in the field.
Topics at these trainings focused on community
planning for girls, gender-specific programming
for girls and relational aggression among young
women.

The publication *Promising Directions:
Programs that serve girls in a single-sex
environment* was updated to reflect the losses
and additions of programs in the state. A new
publication was drafted as well. As yet untitled,
this publication will list resources for use with girls
and will include an assessment tool that will allow
communities to determine if they are adequately
serving the needs of girls in their area. This
publication is expected to be completed in 2006.

The Task Force coordinator worked with the
Disproportionate Minority Confinement
committee to insure the needs of girls of color are
being addressed and testified at the Criminal and
Juvenile Justice Planning public hearing. The

coordinator was also involved in the Iowa
Sexuality Educators Network and the FutureNet
(pregnancy prevention) group. Finally, the
coordinator collaborated with other state and
private agencies on developing a publication for
use by parents regarding sexual harassment,
assault and abuse.

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SUBCHAPTER 10

DIVISION ON THE STATUS OF AFRICAN-AMERICANS

- 216A.141 Definitions.
216A.142 Establishment.

- 216A.143 Meetings of the commission.
216A.144 Objectives of commission.
216A.145 Employees and responsibility.
216A.146 Duties.
216A.147 Additional authority.
216A.148 Access to information.
216A.149 Annual report.

SUBCHAPTER 1

ADMINISTRATION

216A.1 Department of human rights.

A department of human rights is created, with the following divisions:

1. Division of Latino affairs.
2. Division on the status of women.
3. Division of persons with disabilities.
4. Division of community action agencies.
5. Division of deaf services.
6. Division of criminal and juvenile justice planning.
7. Division on the status of African-Americans.
86 Acts, ch 1245, § 1201
C87, § 601K.1
87 Acts, ch 115, §70; 88 Acts, ch 1277, §27; 89 Acts, ch 83, §78; 90 Acts, ch 1180, § 2; 91 Acts, ch 50, § 2; 91 Acts, ch 109, § 8
C93, § 216A.1

216A.2 Appointment of department director and administrators.

The governor shall appoint a director of the department of human rights, subject to confirmation by the senate. The department director shall serve at the pleasure of the governor. The department director shall:

1. Establish general operating policies for the department to provide general uniformity among the divisions while providing for necessary flexibility.
2. Receive budgets submitted by each commission and reconcile the budgets among the divisions. The department director shall submit a budget for the department, subject to the budget requirements pursuant to chapter 8.
3. Coordinate and supervise personnel services and shared administrative support services to assure maximum support and assistance to the divisions.
4. Identify and, with the chief administrative officers of each division, facilitate the opportunities for consolidation and efficiencies within the department.
5. In cooperation with the commissions, make recommendations to the governor regarding the appointment of the administrator of each division.
6. Serve as an ex officio member of all commissions or

councils within the department.

7. Serve as chairperson of the human rights administrative-coordinating council.

8. Evaluate each administrator, after receiving recommendations from the appropriate commissions or councils, and submit a written report of the completed evaluations to the governor and the appropriate commissions or councils, annually.

The governor shall appoint the administrators of each of the divisions subject to confirmation by the senate. Each administrator shall serve at the pleasure of the governor and is exempt from the merit systems provisions of chapter 19A. The governor shall set the salary of the division administrators within the ranges set by the general assembly.

99 Acts, ch 201, §10,11

Subsection 9 stricken

Unnumbered paragraph 2 amended

216A.3 Human rights administrative-coordinating council.

1. A human rights administrative coordinating council composed of nine members is created within the department of human rights. The council is composed of the director, who shall act as the chairperson of the council, and the administrators within the department.

2. The council shall meet periodically to:

- a. Identify areas where the divisions within the department might coordinate efforts or share administrative or other support functions to provide greater efficiencies in operation including, but not limited to, accounting, clerical, record keeping, and administrative support functions.
- b. Develop cooperative arrangements and shared services among the divisions to achieve greater efficiencies, and may establish contracts and agreements between or among the divisions to provide for shared services.
- c. Transfer funds within the divisions agreeing to shared services for the implementation of the contracts or agreements between divisions.
- d. Make recommendations to the governor and general assembly regarding additional consolidation and coordination that would require legislative action.
- e. Advise the department director regarding actions

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by and for the department.

f. Establish goals and objectives for the department.

86 Acts, ch 1245, § 1203

C87, § 601K.3

88 Acts, ch 1277, §28; 90 Acts, ch 1180, § 4

C93, § 216A.3

216A.4 Definitions.

For purposes of this chapter, unless the context otherwise requires:

1. “*Department*” means the department of human rights.

2. “*Department director*” means the director of the department of human rights.

86 Acts, ch 1245, § 1204

C87, § 601K.4

90 Acts, ch 1180, § 5

C93, § 216A.4

216A.5 Repeal. Repealed by 97 Acts, ch 52, § 1.

216A.6 Confidentiality of individual client advocacy records.

1. For purposes of this section, unless the context otherwise requires:

a. “*Advocacy services*” means services in which a department staff member writes or speaks in support of a client or a client’s cause or refers a person to another service to help alleviate or solve a problem.

b. “*Individual client advocacy records*” means those files or records which pertain to problems divulged by a client to the department or any related papers or records which are released to the department about a client for the purpose of assisting the client.

2. Information pertaining to clients receiving advocacy services shall be held confidential, including but not limited to the following:

a. Names and addresses of clients receiving advocacy services.

b. Information about a client reported on the initial advocacy intake form and all documents, information, or other material relating to the advocacy issues or to the client which could identify the client, or divulge information about the client.

c. Information concerning the social or economic conditions or circumstances of particular clients who are receiving or have received advocacy services.

d. Department or division evaluations of information about a person seeking or receiving advocacy services.

e. Medical or psychiatric data, including diagnoses and past histories of disease or disability, concerning a person seeking or receiving advocacy services.

f. Legal data, including records which represent or constitute the work product of an attorney, which are related to a person seeking or receiving advocacy services.

3. Information described in subsection 2 shall not be disclosed or used by any person or agency except for purposes of administration of advocacy services, and shall not be disclosed to or used by a person or agency outside the department except upon consent of the client as evidenced by a signed release.

4. This section does not restrict the disclosure or use of information regarding the cost, purpose, number of clients served or assisted, and results of an advocacy program administered by the department, and other general and statistical information, so long as the information does not identify particular clients or persons provided with advocacy services.

88 Acts, ch 1106, §1

C89, § 601K.6

C93, § 216A.6

216A.7 through 216A.10 Reserved.

SUBCHAPTER 4

DIVISION ON THE STATUS OF WOMEN

216A.51 Definitions.

For purposes of this subchapter, unless the context otherwise requires:

1. “*Administrator*” means the administrator of the division on the status of women of the department of human rights.

2. “*Commission*” means the commission on the status of women.

3. “*Division*” means the division on the status of women of the department of human rights.

86 Acts, ch 1245, § 1221

C87, § 601K.51

87 Acts, ch 115, § 2

C93, § 216A.51

216A.52 Commission created.

The commission on the status of women is created, composed of thirteen members as follows:

1. Four members of the general assembly serving as ex officio nonvoting members, one to be appointed by the speaker of the house from the membership of the house, one to be appointed by the minority leader of the house from the membership of the house, one to be appointed

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by the president of the senate, after consultation with the majority leader of the senate, from the membership of the senate, and one to be appointed by the minority leader of the senate, after consultation with the president of the senate, from the membership of the senate.

2. Nine members to be appointed by the governor representing a cross section of the citizens of the state, subject to confirmation by the senate.

No more than a simple majority of the commission shall be of the same political party. The members of the commission shall elect one of its members to serve as chairperson of the commission.

86 Acts, ch 1245, § 1222

C87, § 601K.52

88 Acts, ch 1150, §2; 90 Acts, ch 1223, § 30

C93, § 216A.52

216A.53 Term of office.

Four of the members appointed to the initial commission shall be designated by the governor to serve two-year terms, and five shall be designated by the governor to serve four-year terms. The legislative members of the commission shall be appointed to four-year terms of office, two of which shall expire every two years unless sooner terminated by a commission member ceasing to be a member of the general assembly. Succeeding appointments shall be for a term of four years. Vacancies in the membership shall be filled for the unexpired term in the same manner as the original appointment.

86 Acts, ch 1245, § 1223

C87, § 601K.53

88 Acts, ch 1150, § 3

C93, § 216A.53

216A.54 Meetings of the commission.

The commission shall meet at least six times each year, and shall hold special meetings on the call of the chairperson. The commission shall adopt rules pursuant to chapter 17A as it deems necessary for the commission and division. The members of the commission shall receive a per diem as specified in section 7E.6 and be reimbursed for actual expenses while engaged in their official duties. Legislative members of the commission shall receive payment pursuant to sections 2.10 and 2.12.

86 Acts, ch 1245, § 1224

C87, § 601K.54

88 Acts, ch 1150, §4; 90 Acts, ch 1256, § 52

C93, § 216A.54

216A.55 Objectives of commission.

The commission shall study the changing needs and problems of the women of this state, and develop and recommend new programs and constructive action to the governor and the general assembly, including but not limited to, the following areas:

1. Public and private employment policies and practices.
2. Iowa labor laws.
3. Legal treatment relating to political and civil rights.
4. The family and the employed woman.
5. Expanded programs to help women as wives, mothers, and workers.
6. Women as citizen volunteers.
7. Education.

86 Acts, ch 1245, § 1225

C87, § 601K.55

C93, § 216A.55

216A.56 Employees and responsibility.

The commission shall employ other necessary employees. Pursuant to section 216A.2, the commission shall have responsibility for budgetary and personnel decisions for the commission and division. The administrator shall carry out programs and policies as determined by the commission.

86 Acts, ch 1245, § 1226

C87, § 601K.56

C93, § 216A.56

216A.57 Duties.

The commission shall:

1. Serve as a clearinghouse on programs and agencies operating to assist women.
2. Conduct conferences.
3. Cooperate with governmental agencies to assist them in equalizing opportunities between men and women in employment and in expanding women's rights and opportunities.
4. Serve as the central permanent agency for the development of services for women.
5. Cooperate with public and private agencies in joint efforts to study and resolve problems relating to the status of women.
6. Publish and disseminate information relating to women and develop other educational programs.
7. Provide assistance to organized efforts by communities, organizations, associations, and other groups working toward the improvement of women's status.

86 Acts, ch 1245, § 1227

C87, § 601K.57

C93, § 216A.57

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216A.58 Additional authority.

The commission may:

1. Do all things necessary, proper, and expedient in accomplishing the duties listed in section 216A.57 and this section.
2. Hold hearings.
3. Enter into contracts, within the limit of funds made available, with individuals, organizations, and institutions for services furthering the objectives of the commission as listed in section 216A.55.
4. Seek advice and counsel of informed individuals, or any agricultural, industrial, professional, labor or trade association, or civic group in the accomplishment of the objectives of the commission.
5. Accept grants of money or property from the federal government or any other source, and may upon its own order use this money, property, or other resources to accomplish the objectives of the commission.

86 Acts, ch 1245, § 1228

C87, § 601K.58

C93, § 216A.58

216A.59 Access to information.

The commission shall have access to all nonconfidential records, data, information, and statistics of all departments, boards, commissions, agencies, and institutions of this state, and upon terms which may be mutually agreed upon, have studies and research conducted.

86 Acts, ch 1245, § 1229

C87, § 601K.59

C93, § 216A.59

216A.60 Annual report.

Not later than February 1 of each year the commission shall file a report with the governor and the general assembly of its proceedings for the previous calendar year, and may submit with the report such recommendations pertaining to its affairs as it deems desirous, including recommendations for legislative consideration and other action it deems necessary.

86 Acts, ch 1245, § 1230

C87, § 601K.60

C93, § 216A.60

216A.61 through 216A.70 Reserved.

SECTION 6: Iowa Administrative Code

STATUS OF WOMEN DIVISION[435]

Created within the Human Rights Department [421] by Iowa Code section 601K.52
Prior to 7/15/87, See Status of Women [800]

CHAPTER 1 DESCRIPTION	CHAPTER 7 DECLARATORY ORDERS
1.1(216A) Composition	7.1(17A) Adoption by reference
1.2(216A) Meetings	
1.3(216A) Purpose	CHAPTER 8 PETITIONS FOR RULE MAKING
	8.1(17A) Adoption by reference
CHAPTER 2 DUTIES	CHAPTER 9 AGENCY PROCEDURE FOR RULE MAKING
2.1(216A) Information	9.1(17A) Adoption by reference
2.2(216A) Authority	
CHAPTER 3 IOWA WOMEN'S HALL OF FAME	CHAPTER 10 WAIVER RULES
3.1(216A) Purpose	10.1(17A) Definition
3.2(216A) Committee	10.2(17A) Scope of chapter
3.3(216A) Selections procedure	10.3(17A) Applicability
3.4(216A) Cristine Wilson Medal for Equality and Justice	10.4(17A) Compliance with law
	10.5(17A) Criteria for a waiver
CHAPTER 4 PUBLIC RECORDS AND FAIR INFORMATION PRACTICES	10.6(17A) Division discretion
4.1(22) Adoption by reference	10.7(17A) Burden of persuasion
4.2(22) Custodian of records	10.8(17A) Contents of petition
	10.9(17A) Additional information
CHAPTER 5 IOWANS IN TRANSITION	10.10(17A) Notice
5.1(216A) Definitions	10.11(17A) Hearing procedures
5.2(216A) Program eligibility	10.12(17A) Ruling
5.3(216A) Proposals	10.13(17A) Conditions
5.4(216A) Selection of proposals	10.14(17A) Time for ruling
5.5(216A) Appeal procedure	10.15(17A) When deemed denied
5.6(216A) Program reports	10.16(17A) Service of orders
	10.17(17A) Record keeping
CHAPTER 6 Reserved	10.18(17A) Cancellation of a waiver
	10.19(17A) Violations
	10.20(17A) Defense
	10.21(17A) Appeals

CHAPTER 1 DESCRIPTION

435—1.1(216A) Composition. The commission on the status of women consists of nine voting members appointed by the governor subject to confirmation by the senate; and five members serving as ex officio nonvoting members: one to be appointed by the speaker of the house from the membership of the house, one to be appointed by the minority leader of the house from the membership of the house, one to be appointed by the majority leader of the senate from the membership of the senate, one to be appointed by the minority leader of the senate from the membership of the senate, and one to be the director of the department of human rights. Commissioners are appointed to comply with Iowa Code section 69.16 regarding political affiliation and section 69.16A regarding gender balance.

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The chairperson is a commission member elected by the commission. The commission has an executive director who is the administrator of the division on the status of women, department of human rights.

435—1.2(216A) Meetings. The commission meets at least six times each year and, additionally, holds special meetings on the call of the chair. A majority of the membership constitutes a quorum.

435—1.3(216A) Purpose. The commission studies the changing needs and problems of women as wives, mothers, workers, and volunteers and develops and recommends new programs and constructive action to the governor and the general assembly. The commission has no enforcement powers. Each year the commission files a report of its proceedings with the governor and the general assembly. These rules are intended to implement Iowa Code sections 216A.51 to 216A.60.

[Filed without Notice 10/16/75—published 11/3/75]

[Filed 6/26/87, Notice 4/8/87—published 7/15/87, effective 8/19/87]

[Filed 5/17/91, Notice 2/20/91—published 6/12/91, effective 7/17/91]

[Filed 2/25/03, Notice 11/27/02—published 3/19/03, effective 4/23/03]

CHAPTER 2

DUTIES

435—2.1(216A) Information. The commission gathers and distributes information through its office in the Lucas State Office Building, Des Moines, Iowa 50319.

435—2.2(216A) Authority. The administrator carries out the program and policies as determined by the commission. The commission holds hearings, adopts rules, enters into contracts, accepts grants, and seeks advice and counsel outside its membership in the performance of its duties which are to:

1. Serve as the central permanent agency for the development of services for women and act as a clearinghouse on present programs and agencies that operate to assist women.

2. Publish and disseminate information relating to women, develop educational programs, and conduct conferences.

3. Provide assistance to organized efforts by communities, organizations, associations, and other groups working toward the improvement of the status of women.

4. Assist governmental agencies in equalizing and expanding opportunities and rights of women and join in efforts of public and private agencies to study and resolve problems relating to the status of women.

These rules are intended to implement Iowa Code section 216A.54.

[Filed without Notice 10/16/75—published 11/3/75]

[Filed 6/26/87, Notice 4/8/87—published 7/15/87, effective 8/19/87]

[Filed 2/25/03, Notice 11/27/02—published 3/19/03, effective 4/23/03]

CHAPTER 3

IOWA WOMEN'S HALL OF FAME

435—3.1(216A) Purpose. The purpose of the Iowa Women's Hall of Fame shall be to recognize significant achievements of Iowa women and to educate the public by identifying those whose efforts have enhanced and improved the quality of life for women in Iowa, the community, state, nation or world, or a particular profession or discipline.

435—3.2(216A) Committee. The Iowa Women's Hall of Fame committee shall consist of three commissioners, one serving as the committee chair; two public members appointed by the committee chair; and the commission chair ex officio.

435—3.3(216A) Selections procedure. The committee shall solicit nominations for the Iowa Women's Hall of Fame. The committee shall recommend to the commission for its approval no more than four individuals to be inducted into the Iowa Women's Hall of Fame. The committee shall plan the ceremony and reception each year for the Iowa Women's Hall of Fame.

435—3.4(216A) Cristine Wilson Medal for Equality and Justice. The Cristine Wilson Medal for Equality and Justice shall memorialize the efforts and accomplishments of the commission's first chairperson. The medal is awarded on an intermittent basis to persons whose work is deemed outstanding and a significant contribution to Iowa's recognition as a state characterized by equality and justice. The Iowa Women's Hall of Fame committee shall make recommendations to the commission for persons to receive this award.

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[Filed 6/26/87, Notice 4/8/87—published 7/15/87, effective 8/19/87]
[Filed 2/25/03, Notice 11/27/02—published 3/19/03, effective 4/23/03]

CHAPTER 4

PUBLIC RECORDS AND FAIR INFORMATION PRACTICES

435—4.1(22) Adoption by reference. The commission adopts by reference 421—Chapter 2, Iowa Administrative Code.

435—4.2(22) Custodian of records. The custodian for the records maintained by this division is the division administrator.

These rules are intended to implement Iowa Code chapters 17A and 22 and section 216A.6.

[Filed emergency 8/19/88 after Notice 5/18/88—published 9/7/88, effective 8/19/88]

CHAPTER 5

IOWANS IN TRANSITION

435—5.1(216A) Definitions. “*Iowan in transition*” means an individual who is unemployed or underemployed, and who has had, or would apparently have, difficulty finding appropriate paid employment; and

1. Is a displaced homemaker who has worked principally in the home providing unpaid household services for family members, and is or has been

* Dependent on the income of another family member but is no longer supported by that income, or

* Dependent on government assistance, or

* Supported as the parent of a minor; or

2 Is a single parent; or

3. Is a female offender, or a female who has a record of criminal offense.

435—5.2(216A) Program eligibility. In any year in which the legislature appropriates funds, the department of human rights division on the status of women shall provide moneys for certain selected programs to provide services to Iowans in transition. The amount of money provided shall be contingent upon the amount of funds available. Programs shall include the provision of intake, assessment, planning and personal counseling services. Only nonprofit organizations or governmental units are eligible.

435—5.3(216A) Proposals. Agencies wishing to apply for funding shall submit a funding proposal to the division. Proposals shall contain all the information specified in the request for proposals (RFP).

435—5.4(216A) Selection of proposals. The division administrator shall appoint an advisory committee of no fewer than five persons. All proposals received will be evaluated by the advisory committee and the division administrator to determine which agencies will receive grants. Agencies submitting applications for continuing programs which have demonstrated both a need and the ability to effectively operate the program will be given first consideration for funds. The division administrator shall make the final decision with respect to the expenditure of funds. The applicant may be requested to modify the proposal through the contracting process. The following factors will be considered in selecting proposals:

1. The demonstrated need for the service in the program area serviced;

2. The community support demonstrated and the relationship to existing agencies;

3. The emphasis of the plan on helping clients achieve economic self-sufficiency through education, training, and job placement in conjunction with other agencies;

4. The general program structure including, but not limited to, how well goals can be met, how realistic the objectives are, the administration of funds, stability of the organization, the overall quality in comparison to other proposals and the services offered; and

5. The plan for using the funds; funds may be used for salaries, fringe benefits, contract services, job-related travel, and operational expenses.

435—5.5(216A) Appeal procedure. The following appeal and hearing procedure shall be used:

1. An applicant denied assistance or who wishes to file a complaint about the Iowans in transition program has ten days from the date of denial or complaint action to submit an appeal in writing to the administrator of the division on the status of women.

2. The administrator and the advisory committee will respond with a decision within ten days of receipt of the appeal or complaint.

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435—5.6(216A) Program reports. Grantees shall submit program performance reports to the division on the status of women as prescribed in the contract.

These rules are intended to implement Iowa Code sections 216A.57 and 216A.58.

[Filed 5/17/91, Notice 2/20/91—published 6/12/91, effective 7/17/91]

[Filed 4/1/99, Notice 2/24/99—published 4/21/99, effective 5/26/99]

[Filed 4/27/01, Notice 3/21/01—published 5/16/01, effective 7/1/01]

[Filed 2/25/03, Notice 11/27/02—published 3/19/03, effective 4/23/03]

CHAPTER 6

MENTOR ADVISORY BOARD

Transferred to Workforce Development Department as 345—Chapter 15 in compliance with 1996 Iowa Acts, Senate File 2409, section 16, IAC Supplement 7/17/96, effective 7/1/96.

CHAPTER 7

DECLARATORY ORDERS

435—7.1(17A) Adoption by reference. The commission on the status of women hereby adopts the declaratory orders segment of the Uniform Rules on Agency Procedure printed in the first volume of the Iowa Administrative Code, with the following amendments:

1. In lieu of the words “(designate agency)”, insert “division on the status of women”.

2. In lieu of the words “(designate office)”, insert “Division on the Status of Women, Department of Human Rights, Lucas State Office Building, Des Moines, Iowa 50319”.

3. In lieu of the words “(AGENCY NAME)”, insert “DIVISION ON THE STATUS OF WOMEN”.

4. In lieu of the words “_____ days (15 or less)”, insert “10 days”.

5. In lieu of the words “_____ days” in subrule 6.3(1), insert “20 days”.

6. In lieu of the words “(designate official by full title and address)”, insert “Administrator, Division on the Status of Women, Department of Human Rights, Lucas State Office Building, Des Moines, Iowa 50319”.

7. In lieu of the words “(specify office and address)”, insert “Division on the Status of Women, Department of Human Rights, Lucas State Office Building, Des Moines, Iowa 50319”.

8. In lieu of the words “(agency name)”, insert “division on the status of women”.

9. In lieu of the words “(designate agency head)”, insert “administrator”.

These rules are intended to implement Iowa Code chapter 17A as amended by 1998 Iowa Acts, chapter 1202.

[Filed 4/29/99, Notice 3/24/99—published 5/19/99, effective 6/23/99]

CHAPTER 8

PETITIONS FOR RULE MAKING

435—8.1(17A) Adoption by reference. The commission on the status of women hereby adopts the petitions for rule making segment of the Uniform Rules on Agency Procedure printed in the first volume of the Iowa Administrative Code, with the following amendments:

1. In lieu of the words “(designate office)”, insert “Division on the Status of Women, Department of Human Rights, Lucas State Office Building, Des Moines, Iowa 50319”.

2. In lieu of the words “(AGENCY NAME)”, insert “DIVISION ON THE STATUS OF WOMEN”.

3. In lieu of the words “(designate official by full title and address)”, insert “Administrator, Division on the Status of Women, Department of Human Rights, Lucas State Office Building, Des Moines, Iowa 50319”.

These rules are intended to implement Iowa Code chapter 17A as amended by 1998 Iowa Acts, chapter 1202.

[Filed 4/29/99, Notice 3/24/99—published 5/19/99, effective 6/23/99]

CHAPTER 9

AGENCY PROCEDURE FOR RULE MAKING

435—9.1(17A) Adoption by reference. The commission on the status of women hereby adopts the agency procedure for rule making segment of the Uniform Rules on Agency Procedure printed in the first volume of the Iowa Administrative Code, with the following amendments:

1. In lieu of the words “(commission, board, council, director)”, insert “administrator”.

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2. In lieu of the words “(specify time period)”, insert “one year”.

3. In lieu of the words “(identify office and address)”, insert “Administrator, Division on the Status of Women, Department of Human Rights, Lucas State Office Building, Des Moines, Iowa 50319”.

4. In lieu of the words “(designate office and telephone number)”, insert “the administrator at (515)281-4461”.

5. In lieu of the words “(designate office)”, insert “Division on the Status of Women, Department of Human Rights, Lucas State Office Building, Des Moines, Iowa 50319”.

6. In lieu of the words “(specify the office and address)”, insert “Division on the Status of Women, Department of Human Rights, Lucas State Office Building, Des Moines, Iowa 50319”.

7. In lieu of the words “(agency head)”, insert “administrator”.

These rules are intended to implement Iowa Code chapter 17A as amended by 1998 Iowa Acts, chapter 1202.

[Filed 4/29/99, Notice 3/24/99—published 5/19/99, effective 6/23/99]

CHAPTER 10 WAIVER RULES

435—10.1(17A) Definition. The term “waiver” as used in this chapter means a prescribed waiver or variance from a specific rule or set of rules of this division applicable only to an identified person on the basis of the particular circumstances of that person.

435—10.2(17A) Scope of chapter. This chapter creates generally applicable standards and a generally applicable process for granting individual waivers from rules adopted by the division in situations when no other more specifically applicable law provides for waivers. To the extent another more specific provision of law purports to govern the issuance of a waiver from a particular rule, the more specific waiver provision shall supersede this chapter with respect to any waiver from that rule.

435—10.3(17A) Applicability. This chapter applies only to waivers of those division rules that are within the exclusive rule-making authority of the division. This chapter shall not apply to rules that merely define the meaning of a statute, or other provisions of law or precedent, if the division does not possess statutory authority to bind a court, to any extent, with its definition.

435—10.4(17A) Compliance with law. The division may not issue a waiver under this chapter unless (1) the legislature has delegated authority sufficient to justify the action; and (2) the waiver is consistent with statute and other provisions of law. No waiver may be granted under this chapter from any mandatory requirement imposed by statute.

435—10.5(17A) Criteria for a waiver. The division may issue an order, in response to a completed petition or on its own motion, granting a waiver from a rule adopted by the division, in whole or in part, as applied to the circumstances of a specified person, if the division finds that the waiver is consistent with rules 10.3(17A) and 10.4(17A) of this chapter, that the waiver would not prejudice the substantial legal rights of any person, and either that:

1. The application of the rule to the person at issue does not advance, to any extent, any of the purposes for the rule or set of rules; or

2. The following criteria have been met:

*The application of the rule or set of rules to the person at issue would result in an undue hardship or injustice to that person; and

* The waiver on the basis of the particular circumstances relative to the specified person would be consistent with the overall public interest.

In determining whether a waiver would be consistent with the public interest, the division administrator shall consider whether, if a waiver is granted, the public health, safety, and welfare will be adequately protected by other means that will ensure a result that is substantially equivalent to full compliance with the rule.

435—10.6(17A) Division discretion. The final decision to grant or deny a waiver shall be vested in the division administrator. This decision shall be made at the discretion of the division upon consideration of relevant facts.

435—10.7(17A) Burden of persuasion. The burden of persuasion shall be on the petitioner to demonstrate by clear and convincing evidence that the division should exercise its discretion to grant a waiver based upon the criteria contained in rule 10.5(17A) of this chapter.

435—10.8(17A) Contents of petition. A petition for a waiver shall include the following information where applicable and known to the requester:

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1. The name, address, and telephone number of the entity or person for whom a waiver is requested and the case number of any related contested case.
2. A description and citation of the specific rule or set of rules from which a waiver is requested.
3. The specific waiver requested, including a description of the precise scope and operative period for which the petitioner wants the waiver to extend.
4. The relevant facts that the petitioner believes would justify a waiver. This statement shall include a signed statement from the petitioner attesting to the accuracy of the facts represented in the petition and a statement of reasons that the petitioner believes will justify a waiver.
5. A history of any prior contacts between the petitioner and the division relating to the activity affected by the proposed waiver, including any notices of violation, contested case hearings, or investigative reports relating to the activity within the past five years.
6. Any information known to the requester relating to the division's treatment of similar cases.
7. The name, address, and telephone number of any public agency or political subdivision which also regulates the activity in question or which might be affected by the granting of a waiver.
8. The name, address, and telephone number of any person or entity that would be adversely affected by the granting of a petition.
9. The name, address, and telephone number of any person with knowledge of the relevant facts relating to the proposed waiver.
10. Signed releases of information authorizing persons with knowledge of the waiver request to furnish the division with information relevant to the waiver.

435—10.9(17A) Additional information. Prior to issuing an order granting or denying a waiver, the division may request additional information from the petitioner relative to the petition and surrounding circumstances. If the petition was not filed in a contested case, the division may, on its own motion or at the petitioner's request, schedule a telephonic or in-person meeting between the petitioner and a representative from the division to discuss the petition and surrounding circumstances.

435—10.10(17A) Notice. The division shall acknowledge the petition upon receipt. The division shall ensure that, within 30 days of the receipt of the petition, notice of the pendency of the petition and a concise summary of its contents have been provided to all persons to whom notice is required by any provision of law. In addition, the division may give notice to other persons. To accomplish this notice provision, the division may require the petitioner to serve the notice on all persons to whom notice is required by any provision of law and provide a written statement to the division attesting to the fact that notice has been provided.

435—10.11(17A) Hearing procedures. The provisions of Iowa Code sections 17A.10 to 17A.18A regarding contested case hearings shall apply to any petition for a waiver of a rule or set of rules filed within a contested case and shall otherwise apply to division proceedings for a waiver only when the division so provides by rule or order or is required to do so by statute or other binding law.

435—10.12(17A) Ruling. An order granting or denying a waiver shall be in writing and shall contain a reference to the particular person and rule or portion thereof to which the order pertains, a statement of the relevant facts and reasons upon which the action is based, and a description of the precise scope and operative time period of a waiver if one is issued.

435—10.13(17A) Conditions. The division may condition the granting of the waiver on such conditions that the division deems to be reasonable and appropriate in order to achieve the objectives of the particular rule in question through alternative means.

435—10.14(17A) Time for ruling. The division shall grant or deny a petition for a waiver as soon as practicable but, in any event, shall do so within 120 days of its receipt unless the petitioner agrees to a later date. However, if a petition is filed in a contested case, then the division may grant or deny the petition at the time the final decision in that contested case is issued.

435—10.15(17A) When deemed denied. Failure of the division to grant or deny a petition within the required time period shall be deemed a denial of that petition by the division. However, the division shall remain responsible for issuing an order denying a waiver as required by rule 10.12(17A).

435—10.16(17A) Service of orders. Within seven days of its issuance, any order issued under this chapter shall be transmitted to the petitioner or the person to whom the order pertains and to any other person entitled to such notice by any provision of the law.

435—10.17(17A) Record keeping. Subject to the provisions of Iowa Code section 17A.3(1) "e," the division shall

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maintain a record of all orders granting and denying waivers under this chapter. All final rulings in response to requests for waivers shall be indexed and copies distributed to members of the administrative rules review committee upon request. All final rulings shall also be available for inspection by the public at the division office during regular business hours.

435—10.18(17A) Cancellation of a waiver. A waiver issued by the division pursuant to this chapter may be withdrawn, canceled, or modified if, after appropriate notice and hearing, the division issues an order finding any of the following:

1. The person who was the subject of the waiver order withheld from the division or knowingly misrepresented to the division material facts relevant to the propriety or desirability of the waiver; or

2. The alternative means of ensuring that the public health, safety, and welfare will be adequately protected after issuance of the waiver order has been demonstrated to be insufficient, and no other means exists to protect the substantial legal rights of any person; or

3. The subject of the waiver order has failed to comply with all of the conditions contained in the order.

435—10.19(17A) Violations. A violation of a condition in a waiver order shall be treated as a violation of the particular rule for which the waiver was granted. As a result, the recipient of a waiver under this chapter who violates a condition of the waiver may be subject to the same remedies or penalties as a person who violates the rule at issue.

435—10.20(17A) Defense. After the division issues an order granting a waiver, the order shall constitute a defense, within the terms and the specific facts indicated therein, for the person to whom the order pertains in any proceeding in which the rule in question is sought to be invoked.

435—10.21(17A) Appeals. Appeals within the division from a decision granting or denying a waiver shall be in accordance with Iowa Code chapter 17A and division rules. These appeals shall be taken within 30 days of the issuance of the ruling granting or denying the waiver request, unless a different time is provided by rule or statute. These rules are intended to implement Executive Order Number 11 and Iowa Code section 17A.9A.

[Filed 3/30/01, Notice 2/21/01—published 4/18/01, effective 5/23/01]